

HOUSE BILL No. 5245

October 16, 2001, Introduced by Rep. Stallworth and referred to the Committee on Commerce.

A bill to amend 1925 PA 285, entitled

"An act to provide for the organization, operation, and supervision of credit unions; to provide for the conversion of a state credit union into a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States and for the conversion of a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States into a state credit union; and to provide for the merger of credit unions organized and supervised under the laws of this state, credit unions organized and supervised under the laws of any other state or territory of the United States, and federal credit unions, "

(MCL 490.1 to 490.31) by adding section 16c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 SEC. 16C. (1) AS USED IN THIS SECTION:
2 (A) "ATM" MEANS AN ELECTRONIC DEVICE SITUATED IN MICHIGAN
3 OWNED, OPERATED, OR LEASED BY A CREDIT UNION, OTHER THAN A TELE-
4 PHONE, FACSIMILE MACHINE, OR PERSONAL COMPUTER OPERATED BY A
5 CONSUMER, THROUGH WHICH A CONSUMER INITIATES AN ELECTRONIC FUND

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1 TRANSFER. THE TERM DOES NOT INCLUDE A POINT-OF-SALE TERMINAL
2 USED EXCLUSIVELY TO PAY FOR A PURCHASE OF GOODS OR SERVICES BY
3 TRANSFERRING FUNDS ELECTRONICALLY FROM A CONSUMER'S CREDIT CARD
4 ARRANGEMENT OR DEPOSIT ACCOUNT AT A FINANCIAL INSTITUTION TO THE
5 TERMINAL PROVIDER'S ACCOUNT AT A FINANCIAL INSTITUTION OR A
6 DEVICE LOCATED ON THE PREMISES OF A CUSTOMER OF A FINANCIAL
7 INSTITUTION WHICH IS USED TO EXECUTE TRANSACTIONS ONLY BETWEEN
8 THAT CUSTOMER AND THE FINANCIAL INSTITUTION.

9 (B) "CONSUMER" MEANS AN INDIVIDUAL.

10 (C) "CREDIT CARD" MEANS A CARD OR DEVICE ISSUED UNDER A
11 CREDIT CARD ARRANGEMENT WHICH GIVES THE CARDHOLDER THE PRIVILEGE
12 OF OBTAINING LOANS FROM THE CARD ISSUER.

13 (D) "CREDIT CARD ARRANGEMENT" MEANS A LINE OF CREDIT ISSUED
14 BY A FINANCIAL INSTITUTION TO A CONSUMER, WHICH LINE OF CREDIT
15 MAY BE ACCESSED FOR THE PURPOSE OF OBTAINING A LOAN BY MEANS OF A
16 CREDIT CARD.

17 (E) "ELECTRONIC FUND TRANSFER" MEANS ANY TRANSACTION CON-
18 DUCTED BY A CONSUMER USING AN ATM THAT INSTRUCTS OR AUTHORIZES A
19 FINANCIAL INSTITUTION TO DEBIT OR CREDIT THE CONSUMER'S DEPOSIT
20 ACCOUNT OR CREDIT CARD ARRANGEMENT.

21 (F) "FINANCIAL INSTITUTION" MEANS A STATE OR NATIONAL
22 CHARTERED BANK OR A STATE OR FEDERAL CHARTERED SAVINGS AND LOAN
23 ASSOCIATION, SAVINGS BANK, OR CREDIT UNION.

24 (2) A CREDIT UNION SHALL NOT ASSESS OR IMPOSE A FEE OR
25 CHARGE AGAINST A CONSUMER GREATER THAN \$1.50 FOR AN ELECTRONIC
26 FUND TRANSFER. THIS SUBSECTION DOES NOT APPLY IF THE CREDIT
27 UNION PROVIDES THE CONSUMER A FREE CHECKING OR DRAFT ACCOUNT.

1 (3) THIS SECTION DOES NOT LIMIT OR PROHIBIT THE ASSESSING OR
2 IMPOSING OF A FEE OR CHARGE BETWEEN FINANCIAL INSTITUTIONS FOR
3 ELECTRONIC FUND TRANSFERS.

4 (4) FOR EACH TRANSACTION INVOLVING AN ATM, THE CONSUMER
5 USING THE ATM SHALL BE GIVEN THE OPTION OF RECEIVING INFORMATION
6 INDICATING THE NATURE AND AMOUNTS INVOLVED IN THE TRANSACTION AND
7 THE RESULTING BALANCES OF THE ACCOUNTS AFFECTED BY THE
8 TRANSACTION. THE CONSUMER SHALL ALSO BE GIVEN THE OPTION OF
9 RECEIVING THE INFORMATION EITHER ON A PRINTED STATEMENT PROVIDED
10 AT THE END OF THE ATM TRANSACTION OR DISPLAYED ON THE ATM SCREEN.