

BY: Senator Kramer

AMENDMENTS TO SENATE BILL NO. 160

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, before “altering” insert “requiring a banking institution that returns check facsimiles instead of original checks to a customer who has requested the return of a check for tax audits or litigation to return to the customer, on the customer’s request, certain check facsimiles at no additional cost to the customer;”; and in line 10, after “circumstances;” insert “requiring a banking institution, on request of a customer with a certain truncated account, to return to the customer, on a regular basis, the customer’s original checks or certain check facsimiles under certain circumstances; requiring a banking institution, on request of a customer with a certain truncated account, to return to the customer, on a regular basis and at no additional cost to the customer, certain check facsimiles under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 17, after “(1)” insert “(I)”; after line 21, insert:

“(II) IF A BANKING INSTITUTION RETURNS CHECK FACSIMILES INSTEAD OF ORIGINAL CHECKS TO A CUSTOMER UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, ON REQUEST OF THE CUSTOMER, THE BANKING INSTITUTION SHALL RETURN TO THE CUSTOMER, AT NO ADDITIONAL COST TO THE CUSTOMER, CHECK FACSIMILES OF THE FRONT AND THE BACK OF THE CUSTOMER’S ORIGINAL CHECKS THAT ARE AT LEAST THE SAME SIZE AS THE CUSTOMER’S ORIGINAL CHECKS.”;

in line 22, strike “In” and substitute “SUBJECT TO THE REQUIREMENTS OF SUBSECTION (C)(1) AND (2) OF THIS SECTION, IN”; and after line 28, insert:

“(C) (1) ON REQUEST OF A CUSTOMER WITH A TRUNCATED ACCOUNT UNDER WHICH THE CUSTOMER DOES NOT RECEIVE CHECK FACSIMILES ON A REGULAR BASIS, A BANKING INSTITUTION SHALL RETURN TO THE CUSTOMER ON A

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REGULAR BASIS, AT THE BANKING INSTITUTION'S OPTION, EITHER THE CUSTOMER'S ORIGINAL CHECKS OR CHECK FACSIMILES OF THE FRONT OF THE CUSTOMER'S ORIGINAL CHECKS.

(2) ON REQUEST OF A CUSTOMER WITH A TRUNCATED ACCOUNT UNDER WHICH THE BANKING INSTITUTION RETURNS CHECK FACSIMILES ON A REGULAR BASIS, A BANKING INSTITUTION SHALL RETURN TO THE CUSTOMER ON A REGULAR BASIS, AT NO ADDITIONAL COST TO THE CUSTOMER, CHECK FACSIMILES OF THE FRONT OF THE CUSTOMER'S ORIGINAL CHECKS THAT ARE AT LEAST THE SAME SIZE AS THE CUSTOMER'S ORIGINAL CHECKS."