

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL NO. 117

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “clarifying” in line 6 down through the semicolon in line 7 and substitute “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, litigation, or in connection with campaign financing reporting requirements to return to the customer, on the customer’s request, certain check facsimiles at no additional cost to the customer; altering the purposes for which a customer with a truncated account may request the return of a check;”; 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;”; and in line 11, after “changes;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 2, in lines 19 and 22, in each instance, strike “WRITTEN”.

AMENDMENT NO. 3

On page 2, in line 21, after “litigation” insert “OR IN CONNECTION WITH CAMPAIGN FINANCE REPORTING REQUIREMENTS UNDER THE ELECTION LAW ARTICLE”.

AMENDMENT NO. 4

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

(Over)

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."

AMENDMENT NO. 5

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 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."

AMENDMENT NO. 6

On page 2, in line 30, strike "June 1, 2003" and substitute "January 1, 2004".