

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND SPECIAL SESSION-2004

Legislative Document

No. 1898

H.P. 1406

House of Representatives, March 2, 2004

An Act To Prohibit Financial Institutions from Requiring a Fingerprint or Thumbprint To Complete a Transaction

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Insurance and Financial Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative TWOMEY of Biddeford.
Cosponsored by Representatives: CANAVAN of Waterville, COLLINS of Wells, EDER of Portland, McKEE of Wayne, O'BRIEN of Lewiston, PARADIS of Frenchville, SAVIELLO of Wilton.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 9-B MRSA §469** is enacted to read:

6 **§469. Check cashing restrictions**

8 An entity subject to the provisions of this Title may not
10 require a person presenting a payment instrument for cash to
12 submit to fingerprinting or thumbprinting. For purposes of this
14 section, "payment instrument" means a check, draft, money order,
16 travelers check or other instrument or written order for the
transmission or payment of money, sold or issued to one or more
persons, whether or not the instrument is negotiable. "Payment
instrument" does not include a credit card voucher, a letter of
credit or any instrument that is redeemable by the issuer in
goods or services.

18 **Sec. 2. 32 MRSA §6138, sub-§4, ¶¶F and G,** as enacted by PL
20 1997, c. 155, Pt. A, §2, are amended to read:

22 F. Issue any check or draft without concurrently receiving
the full principal amount in cash or its equivalent; or

24 G. Engage in any false or misleading advertising; or

26 **Sec. 3. 32 MRSA §6138, sub-§4, ¶H** is enacted to read:

28 H. Require a fingerprint or thumbprint from a person
30 presenting a payment instrument, as defined in section 6102,
for cash.

32 **SUMMARY**

34 This bill prohibits a financial institution or check cashing
36 business from requiring a person presenting a check for cash to
be fingerprinted or thumbprinted.