

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

R. of S.
OK

1
3
5
7
9
11
13
15
17
19
21
23
25
27
29
31
33
35
37
39
41
43
45
47

L.D. 1372
(Filing No. S- 283)

STATE OF MAINE
SENATE
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 498, L.D. 1372, Bill, "An Act Relating to Returned Check Charges"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'9-B MRSA §241, sub-§6 is enacted to read:

6. Returned check charges. No financial institution authorized to do business in this State may assess a returned check charge or similar charge against a depositor for the cost of processing a check deposited in that financial institution after receipt by that depositor from another party and returned for insufficient funds by the institution on which it was drawn, except in accordance with this subsection. The charge shall not exceed \$2 per returned check, but if the check is deposited in the same institution on which it is drawn, there shall be no charge assessed against the depositor. This subsection is repealed July 1, 1991.'

STATEMENT OF FACT

The amendment retains the intent of the original bill to regulate the assessment of a charge against a depositor when a check deposited by that depositor but issued by another party is returned for insufficient funds, by limiting that charge to \$2 per check, and prohibiting it entirely if the financial institution in which it is deposited is the same as the one on which it is drawn. The bank on which the check is drawn could continue to charge an insufficient funds fee to the person who issued the check.

The amendment places this provision in that part of the law which deals with anticompetitive or unfair practices, a provision

1 that applies to all financial institutions authorized to do
business in the State, not only to those which are
3 state-chartered. The amendment also adds a sunset date of July
1, 1991, in order to allow legislative review of experience under
5 this new provision before it is continued.

Reported by Senator Theriault for the Committee on Banking
and Insurance. Reproduced and Distributed Pursuant to
Senate Rule 12.
(6/14/89) (Filing No. S- 283)