

2012 -- H 7357

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LC01011
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO FINANCIAL INSTITUTIONS - POWERS AND OPERATIONS - CREDIT
CARD AND DEBIT CARD FEES

Introduced By: Representatives McLaughlin, Guthrie, Azzinaro, Petrarca, and Flaherty

Date Introduced: February 02, 2012

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 19-3-13 of the General Laws in Chapter 19-3 entitled "Powers and
2 Operations" is hereby amended to read as follows:

3 **19-3-13. Use of electronic devices and machines.** -- (a) Any financial institution, or
4 credit union, may make available for use by its customers one or more electronic devices or
5 machines (customer-bank communications terminals/automated teller machines). These devices
6 or machines shall not be deemed to be the establishment of a branch of the particular financial
7 institution or credit union. ~~All surcharges chargeable~~ No surcharge shall be imposed for use of
8 these devices. ~~shall be disclosed prior to completion of any transaction. Disclosure of the~~
9 ~~surcharge shall be displayed electronically by the electronic device or machine and shall not be~~
10 ~~disclosed by means of any stickers or placards placed on the exterior of the electronic device or~~
11 ~~machine.~~

12 (b) The establishment and use of these devices are subject to approval by the director or
13 the director's designee which approval shall not be unreasonably withheld. Any request to
14 establish a customer-bank communications terminal/automated teller machine must be sent to the
15 director or the director's designee by certified mail, return receipt requested. Any request which is
16 received by the director or the director's designee shall be deemed approved, if within five (5)
17 business days of receipt by the director or the director's designee of the request, the director or the
18 director's designee has not issued a notice of intent to deny the request. The director or the

1 director's designee may promulgate rules and regulations not inconsistent with this section.

2 (c) To the extent consistent with the antitrust laws, each financial institution or credit
3 union, chartered by this or any other state, is permitted but not required to share these devices
4 with one or more other financial institutions or credit unions, chartered by the state or federal
5 government.

6 (d) Each financial institution or credit union shall adopt and maintain safeguards on each
7 electronic device or machine consistent with the minimum requirements specified under the
8 federal Bank Protection Act, 12 U.S.C. section 1881 et seq.

9 SECTION 2. Chapter 19-3 of the General Laws entitled "Powers and Operations" is
10 hereby amended by adding thereto the following section:

11 **19-3-15. Transaction fees prohibited.** – [No financial institution chartered by the state of](#)
12 [Rhode Island shall charge a fee of any kind for the use of a credit card or debit card, for the](#)
13 [purchase of any item or service or for the receipt of funds from any other source into the account.](#)

14 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO FINANCIAL INSTITUTIONS - POWERS AND OPERATIONS - CREDIT
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- 1 This act would eliminate transaction fees for the use of ATM cards, credit and debit
- 2 cards.
- 3 This act would take effect upon passage.

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