

FIRST REGULAR SESSION

HOUSE BILL NO. 83

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES NOLTE (Sponsor), ZERR AND ALLEN (Co-sponsors).

0444L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 362.111, RSMo, and to enact in lieu thereof one new section relating to international transactions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 362.111, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 362.111, to read as follows:

362.111. **1.** A bank or trust company may impose fees or service charges on deposit accounts; however, such fees or service charges are subject to such conditions or requirements that may be fixed by regulations pursuant to section 361.105 by the director of the division of finance and the state banking board. Notwithstanding any law to the contrary, no such condition or requirement shall be more restrictive than the fees or service charges on deposit accounts or similar accounts permitted any federally chartered depository institution.

2. An agreement to operate or share an automated teller machine shall not prohibit an owner or operator of the automated teller machine from imposing, on an individual who conducts a transaction using a foreign account, an access fee or surcharge that is not otherwise prohibited under federal or state law.

3. As used in this section, the following terms mean:

(1) "Automated teller machine", any electronic device, wherever located, through which a consumer may initiate an electronic funds transfer or may order, instruct, or authorize a financial institution to debit or credit an account and includes any machine or device which may be used to carry out electronic banking business. "Automated teller machine" does not include point of sale terminals or telephones or personal computers operated by a consumer;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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18 (2) "Foreign account", an account with a financial institution located outside the
19 United States.

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