

SECOND REGULAR SESSION

[P E R F E C T E D]

# SENATE BILL NO. 773

95TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR DEMPSEY.

Read 1st time January 13, 2010, and ordered printed.

Read 2nd time January 19, 2010, and referred to the Committee on Financial and Governmental Organizations and Elections.

Reported from the Committee February 11, 2010, with recommendation that the bill do pass and be placed on the Consent Calendar.

Removed from the Consent Calendar February 15, 2010.

Re-reported from the Committee February 25, 2010, with recommendation that the bill do pass.

Taken up for Perfection March 1, 2010. Bill declared Perfected and Ordered Printed.

TERRY L. SPIELER, Secretary.

4190S.02P

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## AN ACT

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

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*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Section A. Section 362.111, RSMo, is repealed and one new section  
2 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  
2 on deposit accounts; however, such fees or service charges are subject to such  
3 conditions or requirements that may be fixed by regulations pursuant to section  
4 361.105, RSMo, by the director of the division of finance and the state banking  
5 board. Notwithstanding any law to the contrary, no such condition or  
6 requirement shall be more restrictive than the fees or service charges on deposit  
7 accounts or similar accounts permitted any federally chartered depository  
8 institution.

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

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

15       **(1) "Automated teller machine", any electronic device, wherever**  
16 **located, through which a consumer may initiate an electronic funds**

17 transfer or may order, instruct, or authorize a financial institution to  
18 debit or credit an account and includes any machine or device which  
19 may be used to carry out electronic banking business. "Automated  
20 teller machine" does not include point of sale terminals or telephones  
21 or personal computers operated by a consumer;

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

✓  
Unofficial

Bill

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