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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1205 Session of  
2011

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INTRODUCED BY YOUNGBLOOD, CALTAGIRONE, CRUZ, GEORGE AND  
W. KELLER, MARCH 28, 2011

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REFERRED TO COMMITTEE ON COMMERCE, MARCH 28, 2011

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AN ACT

1 Requiring certain financial institutions to post transaction  
2 fees for each automated teller machine transaction; and  
3 restricting transaction fees for automated teller machines.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the ATM Fee  
8 Regulatory Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall  
11 have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "ATM." An automated teller machine.

14 "Financial institution." A national bank, State bank,  
15 federally chartered savings bank, State-chartered savings bank,  
16 federally chartered savings and loan association, federally  
17 chartered credit union, State-chartered credit union and any  
18 entity that owns or operates an automated teller machine.

1 Section 3. Disclosure required.

2 (a) General rule.--A financial institution shall disclose  
3 the total transaction fee or surcharge to be imposed for each  
4 transaction on the screen of the ATM prior to the completion of  
5 the transaction. The customer shall have the right to cancel the  
6 transaction after the fee or surcharge is disclosed.

7 (b) Notice.--A financial institution shall provide written  
8 notice to its account holders that a fee may be imposed when the  
9 account holder uses ATMs owned or operated by another financial  
10 institution or any national, regional or local ATM network  
11 whenever a card, code or other means of ATM access is issued by  
12 the financial institution for the purpose of initiating ATM  
13 transactions.

14 Section 4. Fee restrictions.

15 (a) Screen display as prerequisite for fee.--No customer  
16 shall be liable to pay any fee or surcharge to a financial  
17 institution for an ATM transaction at an ATM screen unless the  
18 fee or surcharge is displayed on the ATM screen prior to the  
19 transaction.

20 (b) Telephone transactions.--No customer shall be liable to  
21 pay any fee or surcharge to any financial institution for any  
22 ATM transaction initiated via telephone.

23 (c) Single fee per transaction.--No customer shall be billed  
24 for more than one fee per ATM transaction regardless of the  
25 number of financial institutions involved in the transaction.

26 (d) Cash dispensing requirement.--No customer shall be  
27 liable to pay an ATM fee or surcharge to a financial institution  
28 that does not dispense cash at all of the institution's branch  
29 locations.

30 Section 5. Effective date.

1        This act shall take effect in 30 days.