

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 503 Session of
1997

INTRODUCED BY ADOLPH, CIVERA, GANNON, BAKER, SCHULER,
YOUNGBLOOD, BUNT, ITKIN, SAYLOR, MELIO, BELARDI, KELLER AND
HENNESSEY, FEBRUARY 12, 1997

REFERRED TO COMMITTEE ON COMMERCE AND ECONOMIC DEVELOPMENT,
FEBRUARY 12, 1997

AN ACT

1 Requiring identification for check cashing; and imposing a
2 penalty.

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

5 Section 1. Definitions.

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

9 "Check." A type of negotiable instrument as defined in 13
10 Pa.C.S. § 3104 (relating to negotiable instrument).

11 "Check casher." Any person, partnership, association or
12 corporation engaging in the business of cashing checks, drafts
13 or money orders for a fee.

14 "Draft." A type of negotiable instrument as defined in 13
15 Pa.C.S. § 3104 (relating to negotiable instrument).

16 "Money order." As defined in the act of September 2, 1965
17 (P.L.490, No.249), referred to as the Money Transmission

1 Business Licensing Law.

2 Section 2. Identification requirement.

3 A check casher shall not cash a check, draft or money order
4 unless the consumer produces identification acceptable to the
5 check casher.

6 Section 3. Criminal penalty.

7 Any person, partnership, association or corporation, and any
8 member, officer, director, agent or employee thereof, who
9 violates any of the provisions of this act commits a misdemeanor
10 and shall, upon conviction, be sentenced to pay a fine of not
11 more than \$500 or to imprisonment for not more than one year, or
12 both.

13 Section 4. Applicability.

14 This act shall not apply to any insured depository
15 institution or affiliate or service corporation of any
16 depository institution supervised or regulated by the Department
17 of Banking, the National Credit Union Administration, the Office
18 of Thrift Supervision, the Federal Deposit Insurance
19 Corporation, the Board of Governors of the Federal Reserve or
20 the Federal Reserve Banks. It also shall not apply to companies
21 licensed by the Department of Banking under the act of April 8,
22 1937 (P.L.262, No.66), known as the Consumer Discount Company
23 Act, the act of December 12, 1980 (P.L.1179, No.219), known as
24 the Secondary Mortgage Loan Act, and the act of December 22,
25 1989 (P.L.687, No.90), known as the Mortgage Bankers and Brokers
26 Act, in the normal course of business with specific relation to
27 lending transactions.

28 Section 5. Expiration.

29 This act shall expire two years from the effective date of
30 this act.

1 Section 6. Effective date.

2 This act shall take effect in 180 days.