

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 380 Session of 2013

INTRODUCED BY EICHELBERGER, FOLMER, RAFFERTY AND WHITE,
FEBRUARY 1, 2013

REFERRED TO BANKING AND INSURANCE, FEBRUARY 1, 2013

AN ACT

1 Amending Title 13 (Commercial Code) of the Pennsylvania
2 Consolidated Statutes, in transfers of funds, further
3 providing for exclusion of consumer transactions governed by
4 Federal law; and making an editorial change.

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

7 Section 1. Sections 4A102 and 4A108 of Title 13 of the
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 4A102. Subject matter.

10 Except as otherwise provided in section 4A108 (relating to
11 [exclusion of consumer transactions governed by Federal law]
12 relationship to Electronic Fund Transfer Act), this division
13 applies to funds transfers defined in section 4A104 (relating to
14 funds transfer; definitions).

15 § 4A108. [Exclusion of consumer transactions governed by
16 Federal law] Relationship to Electronic Fund Transfer
17 Act.

18 [This] (a) Nonapplicability.--Except as set forth in
19 subsection (b), this division does not apply to a funds transfer

1 any part of which is governed by the Electronic Fund Transfer
2 Act [of 1978 (Title XX, Public Law 95-630, 92 Stat. 3728]
3 (Public Law 95-630, 15 U.S.C. § 1693 et seq.) [, as amended from
4 time to time].

5 (b) Applicability.--This division applies to a funds
6 transfer that is a "remittance transfer" as defined in section
7 919(g) (2) and (3) of the Electronic Fund Transfer Act (15 U.S.C.
8 § 1693o-1(g) (2) and (3)), unless the remittance transfer is an
9 "electronic fund transfer" as defined in section 903(7) of the
10 Electronic Fund Transfer Act (15 U.S.C. § 1693A(7)).

11 (c) Inconsistency.--In a funds transfer to which this
12 division applies, in the event of an inconsistency between an
13 applicable provision of this division and an applicable
14 provision of the Electronic Fund Transfer Act, the provision of
15 the Electronic Fund Transfer Act governs to the extent of the
16 inconsistency.

17 Section 2. This act shall take effect immediately.