HOUSE BILL NO. 468

INTRODUCED BY ADDY

IN THE HOUSE

January 24, 1985	Introduced and referred to Committee on Business and Labor:					
February 9, 1985	Committee recommend bill do pass. Report adopted.					
	Bill printed and placed on members' desks.					
February 11, 1985	Second reading, do pass.					
	Considered correctly engrossed.					
February 12, 1985	Third reading, passed.					
	Transmitted to Senate.					
IN THE SENATE						
February 13, 1985	Introduced and referred to Committee on Business and Industry.					
March 13, 1985	Committee recommend bill be concurred in. Report adopted.					
March 15, 1985	Second reading, concurred in.					
March 18, 1985	Third reading, concurred in. Ayes, 48; Noes, 1.					
	Returned to House.					

IN THE HOUSE

March 19, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

1	HOUSE BILL NO. 468
2	INTRODUCED BY
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4	A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE
5	ELECTRONIC FUNDS TRANSFER ACT BY AUTHORIZING CASH
6	WITHDRAWALS AND ACCOUNT INQUIRIES BY CUSTOMERS OF
7	OUT-OF-STATE FINANCIAL INSTITUTIONS; AMENDING SECTION
8	32-6-204, MCA."
9	
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11	Section 1. Section 32-6-204, MCA, is amended to read:
L 2	"32-6-204. Geographical restrictions on certain
.3	satellite terminals. (1) If a financial institution is a
L 4	bank, savings and loan association, or a credit union, it
15	may engage in electronic funds transfers by means of an
16	automated teller machine located within or not more than 3
١7	miles beyond the municipality where its office is located
18	or, if the financial institution is located outside any
19	incorporated municipality, not more than 3 miles from its
20	principal place of business.
21	(2) Any financial institution or its customers may use
22	any automated teller machine located in this state,
23	regardless of its ownership, to perform electronic funds

transfers under terms and conditions mutually agreeable to

the owner of the automated teller machine and the other user

1	and pursuant to 32-6-203(1).
2	(3) The department may authorize the operation of an
3	automatic teller machine which a financial institution uses
4	only if such institution complies with this chapter and
5	regulations adopted by the department.
6	(4) No out-of-state financial institution may
7	establish a satellite terminal within the state or lease
8	through other businesses satellite terminals within Montana.
9	An out-of-state financial institution may not engage in
10	electronic funds transfers within the state, except that a
11	customer of an out-of-state financial institution may:
12	(a) debit his account in an out-of-state financial
13	institution at an in-state satellite terminal:
14	(i) in order to withdraw cash; or
15	(ii) to pay for merchandise and services, provided the
16	merchant credits an account in a financial institution whose
17	principal place of business is located within the state; or
18	(b) make inquiry as to his account balance.
19	(5) Point-of-sale terminals may be available to all
20	customers authorized by in-state financial institutions for
21	debiting accounts to pay for merchandise and services."
22	NEW SECTION. Section 2. Extension of authority. Any

existing authority of the department of commerce to make

rules on the subject of the provisions of this act is

extended to the provisions of this act.

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APPROVED BY COMM. ON BUSINESS AND LABOR

HOUSE BILL NO. 468 1 INTRODUCED BY 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE ELECTRONIC 5 TRANSFER ACT BY AUTHORIZING CASH 6 WITHDRAWALS AND ACCOUNT INQUIRIES BY CUSTOMERS 7 OUT-OF-STATE FINANCIAL INSTITUTIONS: AMENDING SECTION 8 32-6-204, MCA." 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 Section 1. Section 32-6-204, MCA, is amended to read: 11 "32-6-204. Geographical 12 restrictions on certain satellite terminals. (1) If a financial institution is a 13 14 bank, savings and loan association, or a credit union, it may engage in electronic funds transfers by means of an 15 16 automated teller machine located within or not more than 3 miles beyond the municipality where its office is located 17 or, if the financial institution is located outside any 18 incorporated municipality, not more than 3 miles from its 19 principal place of business. 20

(2) Any financial institution or its customers may use any automated teller machine located in this state, regardless of its ownership, to perform electronic funds transfers under terms and conditions mutually agreeable to the owner of the automated teller machine and the other user

Montana Legislative Council

and pursuant to 32-6-203(1).

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- (3) The department may authorize the operation of an automatic teller machine which a financial institution uses only if such institution complies with this chapter and regulations adopted by the department.
- (4) No out-of-state financial institution may establish a satellite terminal within the state or lease through other businesses satellite terminals within Montana. An out-of-state financial institution may not engage in electronic funds transfers within the state, except that a customer of an out-of-state financial institution may:
- (a) debit his account in an out-of-state financial institution at an in-state satellite terminal:

(i) in order to withdraw cash; or

(ii) to pay for merchandise and services, provided the merchant credits an account in a financial institution whose principal place of business is located within the state; or

(b) make inquiry as to his account balance.

(5) Point-of-sale terminals may be available to all customers authorized by in-state financial institutions for debiting accounts to pay for merchandise and services."

NEW SECTION. Section 2. Extension of authority. Any existing authority of the department of commerce to make rules on the subject of the provisions of this act is extended to the provisions of this act.

-End-

-2- SECOND READING

1 HOUSE BILL NO. 468

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A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE ELECTRONIC TRANSFER ACT AUTHORIZING CASH 5 ACCOUNT INOUIRIES CUSTOMERS WITHDRAWALS PINANCIAL OUT-OF-STATE INSTITUTIONS; AMENDING SECTION 32-6-204, MCA."

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 32-6-204, MCA, is amended to read:

"32-6-204. Geographical restrictions on certain
satellite terminals. (1) If a financial institution is a
bank, savings and loan association, or a credit union, it
may engage in electronic funds transfers by means of an
automated teller machine located within or not more than 3
miles beyond the municipality where its office is located
or, if the financial institution is located outside any
incorporated municipality, not more than 3 miles from its
principal place of business.

(2) Any financial institution or its customers may use any automated teller machine located in this state, regardless of its ownership, to perform electronic funds transfers under terms and conditions mutually agreeable to the owner of the automated teller machine and the other user



and pursuant to 32-6-203(1).

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- (3) The department may authorize the operation of an automatic teller machine which a financial institution uses only if such institution complies with this chapter and regulations adopted by the department.
- (4) No out-of-state financial institution may establish a satellite terminal within the state or lease through other businesses satellite terminals within Montana. An out-of-state financial institution may not engage in electronic funds transfers within the state, except that a customer of an out-of-state financial institution may:
- (a) debit his account in an out-of-state financial institution at an in-state satellite terminal:

(i) in order to withdraw cash; or

(ii) to pay for merchandise and services, provided the merchant credits an account in a financial institution whose principal place of business is located within the state; or

(b) make inquiry as to his account balance.

(5) Point-of-sale terminals may be available to all customers authorized by in-state financial institutions for debiting accounts to pay for merchandise and services."

NEW SECTION. Section 2. Extension of authority. Any existing authority of the department of commerce to make rules on the subject of the provisions of this act is extended to the provisions of this act.

-End- THIRD READING

49th Legislature HB 0468/02

1	HOUSE BILL NO. 468						
2	INTRODUCED BY ADDY						
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4	A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE						
5	ELECTRONIC FUNDS TRANSFER ACT BY AUTHORIZING CASH						
6	WITHDRAWALS AND ACCOUNT INQUIRIES BY CUSTOMERS OF						
7	OUT-OF-STATE FINANCIAL INSTITUTIONS; AMENDING SECTION						
8	32-6-204, MCA."						
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15	may engage in electronic funds transfers by means of an						
16	automated teller machine located within or not more than 3						
17	miles beyond the municipality where its office is located						
18	or, if the financial institution is located outside any						
19	incorporated municipality, not more than 3 miles from its						
20	principal place of business.						
21	(2) Any financial institution or its customers may use						
22	any automated teller machine located in this state,						

regardless of its ownership, to perform electronic funds

transfers under terms and conditions mutually agreeable to

the owner of the automated teller machine and the other user

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and	Dursuant	to	32-6-203(1).	

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- (3) The department may authorize the operation of an automatic teller machine which a financial institution uses only if such institution complies with this chapter and regulations adopted by the department.
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 7 establish a satellite terminal within the state or lease
 8 through other businesses satellite terminals within Montana.
 9 An out-of-state financial institution may not engage in
 10 electronic funds transfers within the state, except that a
 11 customer of an out-of-state financial institution may:
 - (a) debit his account in an out-of-state financial institution at an in-state satellite terminal:

(i) in order to withdraw cash; or

- (ii) to pay for merchandise and services, provided the merchant credits an account in a financial institution whose principal place of business is located within the state; or
 - (b) make inquiry as to his account balance.
- 19 (5) Point-of-sale terminals may be available to all 20 customers authorized by in-state financial institutions for 21 debiting accounts to pay for merchandise and services."
- NEW SECTION. Section 2. Extension of authority. Any existing authority of the department of commerce to make rules on the subject of the provisions of this act is extended to the provisions of this act.

HB 0468/02