

CHAPTER 223
SB 161 – FINAL VERSION

05/02/13 1422EBA

2013 SESSION

13-0983
08/03

SENATE BILL **161**

AN ACT relative to electronic funds transfers.

SPONSORS: Sen. Bradley, Dist 3; Sen. Sanborn, Dist 9; Sen. Cataldo, Dist 6; Rep. Schlachman, Rock 18; Rep. Muns, Rock 21; Rep. Tucker, Rock 23

COMMITTEE: Commerce

ANALYSIS

This bill details the relationship between Article 4A and the Electronic Fund Transfer Act.

This bill is a request of the banking department.

Explanation: Matter added to current law appears in **bold italics**.
Matter removed from current law appears [~~in brackets and struck through~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to electronic funds transfers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 223:1 Funds Transfers. Amend RSA 382-A:4A-108 to read as follows:

2 382-A:4A-108 [~~Exclusion of Consumer Transactions Governed by Federal Law~~] ***Relationship to***
3 ***Electronic Fund Transfer Act.***

4 (a) [~~This~~] ***Except as provided in subsection (b), this*** Article does not apply to a funds
5 transfer any part of which is governed by the Electronic Fund Transfer Act of 1978 (Title XX, Public
6 Law 95-630, 92 Stat. 3728, 15 U.S.C. section 1693 et seq.) as amended from time to time.

7 (b) ***This Article applies to a funds transfer that is a remittance transfer as***
8 ***defined in the Electronic Fund Transfer Act (15 U.S.C. section 1693o-1) as amended from***
9 ***time to time, unless the remittance transfer is an electronic fund transfer as defined in the***
10 ***Electronic Fund Transfer Act (15 U.S.C. section 1693a) as amended from time to time.***

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

15 223:2 Effective Date. This act shall take effect 60 days after its passage.

16

17 Approved: July 12, 2013

18 Effective Date: September 10, 2013