

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Representative Cunningham

A Bill

ACT 859 OF 1995
HOUSE BILL 1567

For An Act To Be Entitled

8 "AN ACT TO PROVIDE THAT AGREEMENTS TO SHARE A
9 _CUSTOMER-BANK COMMUNICATION TERMINAL_ SHALL NOT PROHIBIT
10 A BANK FROM CHARGING A _CBCT_ USAGE FEE; AND FOR OTHER
11 PURPOSES."

Subtitle

14 "TO PROVIDE THAT AGREEMENTS TO SHARE A
15 _CUSTOMER-BANK COMMUNICATION TERMINAL_
16 SHALL NOT PROHIBIT A BANK FROM CHARGING
17 A _CBCT_ USAGE FEE"

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21 *SECTION 1. An agreement to share a "customer-bank communication*
22 *terminal" as defined by Arkansas Code Annotated §23-32-1301, shall not*
23 *prohibit, limit, or restrict the right of a bank or other financial*
24 *institution from charging a "CBCT" usage fee. For purposes of this act, usage*
25 *fee is a fee charged by a CBCT owner on transactions by a holder of a foreign*
26 *bank card. For purposes of this act, a foreign bank card is a card eligible*
27 *for use in a CBCT and which card is not issued by the CBCT owner. The usage*
28 *fee shall not exceed two dollars (\$2.00) or two percent (2%) of the gross*
29 *amount of the transaction, whichever is less, and may only be imposed if*
30 *imposition of the fee is disclosed at a time and in a manner that allows a*
31 *user to terminate or cancel the transaction without incurring the usage fee.*

33 *SECTION 2. All provisions of this act of a general and permanent nature*
34 *are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code*
35 *Revision Commission shall incorporate the same in the Code.*

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1 SECTION 3. If any provision of this act or the application thereof to
2 any person or circumstance is held invalid, such invalidity shall not affect
3 other provisions or applications of the act which can be given effect without
4 the invalid provision or application, and to this end the provisions of this
5 act are declared to be severable.

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7 SECTION 4. All laws and parts of laws in conflict with this act are
8 hereby repealed.

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/s/Rep. Cunningham

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11 BECAME LAW WITHOUT GOVERNOR'S SIGNATURE: 4-3-95

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