

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Representative Cunningham

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# A Bill

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."

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## 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"

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

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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,*  
25 *usage fee is a fee charged by a CBCT owner on transactions by a holder of a*  
26 *foreign bank card. For purposes of this act, a foreign bank card is a card*  
27 *eligible for use in a CBCT and which card is not issued by the CBCT owner.*  
28 *The usage fee shall not exceed two dollars (\$2.00) or two percent (2%) of the*  
29 *gross amount of the transaction, whichever is less, and may only be imposed*  
30 *if 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.*

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

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

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 All laws and parts of laws in conflict with this act are hereby repealed.

*/s/Rep. Cunningham*

***As Engrossed: 2/17/95 3/8/95 3/9/95***

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