

106TH CONGRESS
1ST SESSION

H. R. 2386

To amend the Expedited Funds Availability Act to prohibit the imposition of fees for any check returned due to insufficient funds for payment, other than a fee imposed on the maker of the check, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 1999

Mr. WEINER introduced the following bill; which was referred to the
Committee on Banking and Financial Services

A BILL

To amend the Expedited Funds Availability Act to prohibit the imposition of fees for any check returned due to insufficient funds for payment, other than a fee imposed on the maker of the check, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fairness for Check
5 Cashers Act”.

1 **SEC. 2. CERTAIN RETURN CHECK FEES PROHIBITED.**

2 (a) IN GENERAL.—Section 607 of the Expedited
3 Funds Availability Act (12 U.S.C. 4006) is amended by
4 adding at the end the following new subsection:

5 “(f) FEES ON RETURNED CHECKS.—

6 “(1) ORIGINATING DEPOSITORY INSTITU-
7 TION.—An originating depository institution may
8 not impose any fee in connection with handling or
9 returning any check drawn on an account at such
10 depository institution, or otherwise suspending pay-
11 ment or delaying settlement for such check, due to
12 the lack of sufficient funds in such account to make
13 the payment, other than a fee imposed directly on
14 such account with respect to such check.

15 “(2) RECEIVING DEPOSITORY INSTITUTION.—In
16 the case of a check drawn on an account at an origi-
17 nating institution which is dishonored by the origi-
18 nating institution due to the lack of sufficient funds
19 in such account to pay the check, a receiving deposi-
20 tory institution may not impose any fee in connec-
21 tion with handling such check, or any chargeback of
22 any provisional settlement of such check, due to
23 such dishonormment.”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 this section shall apply after the end of the 180-day period
3 beginning on the date of the enactment of this Act.

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