

SENATE No. 481

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to the disclosure of ATM fees..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 3 of chapter 167B of the General Laws, as appearing in the 1992 Official Edition,
2 is hereby amended by striking out the sixth paragraph and inserting in place thereof the
3 following paragraph:— No such electronic branch located at other than the office of a financial
4 institution shall be manned or operated at any time by an employee of any financial institution,
5 holding company of a financial institution or affiliate thereof, or any organization except on a
6 temporary basis for the purpose of instructing operators or customers, servicing the electronic
7 branch or for the purposes of using such electronic branch on said employee's own behalf. There
8 shall be conspicuously displayed on the screen of any electronic branch with a screen a notice
9 informing the customer the amount of fee, if any, that he will incur by accessing such electronic
10 branch or any system or network available through the use of such electronic branch. Following
11 such notice, the customer shall be given the option of discontinuing the transaction. Adjacent to
12 any electronic branch that does not have a screen there shall be a notice to the customer that fees
13 or charges may be incurred by accessing such electronic branch or any system or network
14 available through the use of such electronic branch. Any such fee or charge shall appear on any

15 receipt provided to the customer and shall be itemized on a per transaction basis in the periodic
16 statement for each account of a customer that may be accessed by means of an electronic funds
17 transfer.