

HOUSE BILL NO. 190

INTRODUCED BY A. KNUDSEN

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CERTAIN PROVISIONS OF THE UNIFORM COMMERCIAL CODE RELATING TO ELECTRONIC FUND TRANSFERS GOVERNED BY FEDERAL LAW; AMENDING SECTION 30-4A-108, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 30-4A-108, MCA, is amended to read:

"30-4A-108. ~~Exclusion of consumer transactions governed by federal law~~ Relationship to Electronic Fund Transfer Act. ~~This (1) Except as provided in subsection (2), this chapter does not apply to a funds transfer any part of which is governed by the Electronic Fund Transfer Act of 1978 (Title XX, Public Law 95-630, 92 Stat. 3728, 15 U.S.C. 1693, et seq.) as amended from time to time.~~

(2) This chapter applies to a funds transfer that is a remittance transfer as defined in the Electronic Fund Transfer Act (15 U.S.C. 1693o-1), unless the remittance transfer is an electronic fund transfer as defined in the Electronic Fund Transfer Act (15 U.S.C. 1693a).

(3) In a funds transfer to which this chapter applies, in the event of an inconsistency between an applicable provision of this chapter and an applicable provision of the Electronic Fund Transfer Act, the provision of the Electronic Fund Transfer Act governs to the extent of the inconsistency."

NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

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