

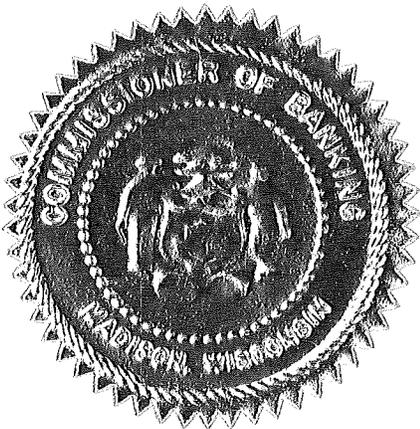
STATE OF WISCONSIN )  
 )  
COMMISSIONER OF BANKING )

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

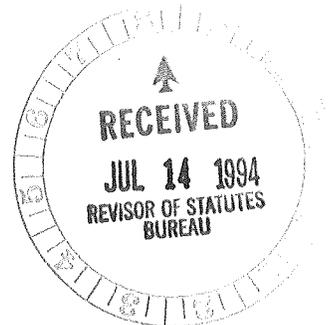
I, James O. Huff, Deputy Commissioner of Banking and custodian of the official records of said office, do hereby certify that the annexed rule relating to refund anticipation loans was duly approved and adopted by this office on the 11th day of July, 1994.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at the Office of Commissioner of Banking in the City of Madison this 11th day of July, 1994.



*James O Huff*  
\_\_\_\_\_  
James O. Huff  
Deputy Commissioner of Banking



TEXT OF PROPOSED RULE

SECTION 1. Bkg 80.353 is created to read:

BKG 80.353 REFUND ANTICIPATION LOAN; BEFORE THE CUSTOMER ENTERS INTO A REFUND ANTICIPATION LOAN. "Before the customer enters into a refund anticipation loan" as used in s. 422.310(1) (intro.), Stats., means prior to the customer being asked to sign an application containing a loan agreement or a loan agreement where there is no application for a refund anticipation loan.

SECTION 2. Bkg 80.354 is created to read:

BKG 80.354 REFUND ANTICIPATION LOAN; REASONABLE LENGTH OF TIME TO EXPECT REFUND. The anticipated length of time called for in s. 422.310(1)(f), Stats., in which the customer can reasonably expect to receive a tax refund shall be no more than 14 days.

SECTION 3. Bkg 80.355 is created to read:

BKG 80.355 REFUND ANTICIPATION LOAN; ESTIMATED ANNUAL PERCENTAGE RATE. (1) For the purpose of s. 422.310(1)(h), Stats., the requirement to disclose the estimated annual percentage rate shall be fulfilled by doing one of the following:

- (a) calculating the rate pursuant to 12 CFR 226.17(c)(2) for the anticipated amount of the refund and the length of time within which it can reasonably be expected the tax refund will be received as a result of an electronically filed tax return as determined under s. Bkg 80.354.
  - (b) distributing a chart titled "representative range of loan amounts" with headings for: total loan amount, amount financed, finance charge, estimated payment period, and annual percentage rate. The representative loan amounts shall be in \$300 increments starting with \$300 and ending with \$3,000 and represent the anticipated refund amount.
- (2) The disclosures shall be made in accordance with 12 CFR 226.18.
- (3) For the purpose of calculating the annual percentage rate at the time the loan is actually made, the disclosure shall be based upon the actual amount of the loan and the length of time within which it can reasonably be expected the tax refund will be received as a result of the electronically filed tax return as determined under s. Bkg 80.354.

SECTION 4. Bkg 80.356 is created to read:

BKG 80.356 REFUND ANTICIPATION LOAN; CHARGES OR FEES FOR ELECTRONICALLY FILING AN INCOME TAX RETURN. For the purposes of s. 422.310(1)(b) and (2), Stats., charges or fees assessed by a creditor, including a loan arranger, for checking tax return information, data entry of the tax return information, and costs of transmitting the tax return by computer modem are included in the charges and fees for electronically filing an income tax return.

Tommy G. Thompson  
Governor



Richard L. Dean  
Commissioner

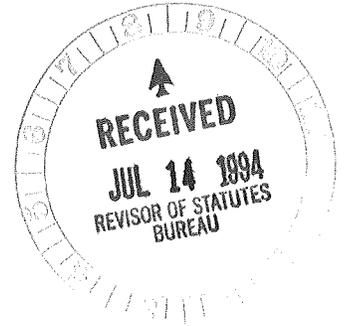
James O. Huff  
Deputy Commissioner

**State of Wisconsin**  
Office of Commissioner of Banking

101 East Wilson Street • 5th Floor • P.O. Box 7876 • Madison, Wisconsin 53707-7876 • (608) 266-1621 • FAX (608) 267-6889

July 11, 1994

Mr. Gary Poulson  
Assistant Revisor of Statutes  
131 West Wilson Street, Suite 800  
Madison, WI 53703-3233



Re: Clearinghouse Rule 94-18

Dear Mr. Poulson:

Attached please find a certified copy and one additional copy of this rule for publication in the Administrative Code. The rule was submitted to the Senate and Assembly in final draft form on April 25, 1994. It was referred to the Senate Committee on Financial Institutions and Cultural Affairs on May 4, 1994 and to the Assembly Committee on Financial Institutions on May 10, 1994. In a letter dated June 13, 1994, to Senator Darling and Representative Roberts, wording changes were requested.

Neither the Senate Committee nor the Assembly Committee took any action with respect to the rule within 30 days of referral.

Sincerely,

A handwritten signature in cursive script that reads "James O. Huff".

James O. Huff  
Deputy Commissioner

JOH/LMS/hd

Enclosures