

**SENATE SUBSTITUTE AMENDMENT 1,
TO 1999 SENATE BILL 325**

February 8, 2000 – Offered by Senators LAZICH, DARLING, DRZEWIECKI, RUDE,
FARROW, PANZER, HUELSMAN and ZIEN.

1 **AN ACT** *to amend* 186.113 (15) (a), 214.04 (21) (b), 215.13 (46) (a) 1. and 221.0303
2 (2) of the statutes; **relating to:** disclosure of automatic teller machine fees and
3 requiring the exercise of rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 186.113 (15) (a) of the statutes is amended to read:
5 186.113 (15) (a) Directly or indirectly, acquire, place and operate, or participate
6 in the acquisition, placement and operation of, at locations other than its offices,
7 remote terminals, in accordance with rules established by the office of credit unions.
8 The rules shall provide that any remote terminal shall be available for use, on a
9 nondiscriminatory basis, by any state or federal credit union which has its principal
10 place of business in this state, by any other credit union obtaining the consent of a
11 state or federal credit union which has its principal place of business in this state and
12 is using the terminal and by all members designated by a credit union using the

1 terminal. This subsection does not authorize a credit union which has its principal
2 place of business outside the state to conduct business as a credit union in this state.
3 The remote terminals also shall be available for use, on a nondiscriminatory basis,
4 by any state or national bank, state or federal savings bank or state or federal savings
5 and loan association, whose home office is located in this state, if the bank, savings
6 bank or savings and loan association requests to share its use, subject to the joint
7 rules established under s. 221.0303 (2). The joint rules under s. 221.0303 (2) shall
8 require a state or federal credit union operating a remote terminal in this state to
9 disclose the amount of any charge imposed by the state or federal credit union upon
10 a person for making a transaction at the remote terminal. This disclosure shall be
11 made by posting a statement on the remote terminal's screen. The joint rules under
12 s. 221.0303 (2) shall also require a state or federal credit union operating a remote
13 terminal in this state to allow a person, in response to this disclosure, to discontinue
14 the transaction without incurring a charge. The office of credit unions by order may
15 authorize the installation and operation of a remote terminal in a mobile facility,
16 after notice and hearing upon the proposed service stops of the mobile facility.

17 **SECTION 2.** 214.04 (21) (b) of the statutes is amended to read:

18 214.04 **(21)** (b) The rules of the division shall provide that any remote service
19 unit shall be available for use, on a nondiscriminatory basis, by any state or federal
20 savings bank which has its principal place of business in this state, by any other state
21 or federal savings bank obtaining the consent of a state or federal savings bank that
22 has its principal place of business in this state and is using the terminal and by all
23 customers designated by a savings bank using the unit. This paragraph does not
24 authorize a savings bank which has its principal place of business outside this state
25 to conduct business as a savings bank in this state. A remote service unit shall be

1 available for use, on a nondiscriminatory basis, by any credit union, state or national
2 bank or state or federal savings and loan association, whose home office is located
3 in this state, if the credit union, bank or savings and loan association requests to
4 share its use, subject to joint rules established by the division of banking, the office
5 of credit unions and the division under s. 221.0303 (2). The joint rules under s.
6 221.0303 (2) shall require a state or federal savings bank operating a remote service
7 unit in this state to disclose the amount of any charge imposed by the state or federal
8 savings bank upon a person for making a transaction at the remote service unit. This
9 disclosure shall be made by posting a statement on the remote service unit's screen.
10 The joint rules under s. 221.0303 (2) shall also require a state or federal savings bank
11 operating a remote service unit in this state to allow a person, in response to this
12 disclosure, to discontinue the transaction without incurring a charge. The division
13 by order may authorize the installation and operation of a remote service unit in a
14 mobile facility, after notice and hearing upon the proposed service stops of the mobile
15 facility.

16 **SECTION 3.** 215.13 (46) (a) 1. of the statutes is amended to read:

17 215.13 **(46)** (a) 1. Directly or indirectly, acquire, place and operate, or
18 participate in the acquisition, placement and operation of, at locations other than its
19 home or branch offices, remote service units, in accordance with rules established by
20 the division. Remote service units established in accordance with such rules are not
21 subject to sub. (36), (39), (40) or (47) or s. 215.03 (8). The rules of the division shall
22 provide that any such remote service unit shall be available for use, on a
23 nondiscriminatory basis, by any state or federal savings and loan association which
24 has its principal place of business in this state, by any other savings and loan
25 association obtaining the consent of a state or federal savings and loan association

1 which has its principal place of business in this state and is using the terminal and
2 by all customers designated by a savings and loan association using the unit. This
3 paragraph does not authorize a savings and loan association which has its principal
4 place of business outside this state to conduct business as a savings and loan
5 association in this state. The remote service units also shall be available for use, on
6 a nondiscriminatory basis, by any credit union, state or national bank or state or
7 federal savings bank, whose home office is located in this state, if the credit union,
8 bank or savings bank requests to share its use, subject to the joint rules established
9 under s. 221.0303 (2). The joint rules under s. 221.0303 (2) shall require a state or
10 federal savings and loan association operating a remote service unit in this state to
11 disclose the amount of any charge imposed by the state or federal savings and loan
12 association upon a person for making a transaction at the remote service unit. This
13 disclosure shall be made by posting a statement on the remote service unit' screen.
14 The joint rules under s. 221.0303 (2) shall also require a state or federal savings and
15 loan association operating a remote service unit in this state to allow a person, in
16 response to this disclosure, to discontinue the transaction without incurring a
17 charge. The division by order may authorize the installation and operation of a
18 remote service unit in a mobile facility, after notice and hearing upon the proposed
19 service stops of the mobile facility.

20 **SECTION 4.** 221.0303 (2) of the statutes, as affected by 1999 Wisconsin Act 9,
21 is amended to read:

22 **221.0303 (2) OPERATION AND ACQUISITION OF CUSTOMER BANK COMMUNICATIONS**
23 **TERMINALS.** A bank may, directly or indirectly, acquire, place and operate, or
24 participate in the acquisition, placement and operation of, at locations other than its
25 main or branch offices, customer bank communications terminals, in accordance

1 with rules established by the division. The rules of the division shall provide that
2 any such customer bank communications terminal shall be available for use, on a
3 nondiscriminatory basis, by any state or national bank and by all customers
4 designated by a bank using the terminal. This subsection does not authorize a bank
5 which has its principal place of business outside this state to conduct banking
6 business in this state. The customer bank communications terminals also shall be
7 available for use, on a nondiscriminatory basis, by any credit union, savings and loan
8 association or savings bank, if the credit union, savings and loan association or
9 savings bank requests to share its use, subject to rules jointly established by the
10 division of banking, the office of credit unions and the division of savings institutions.
11 The joint rules shall require a state or national bank operating a customer bank
12 communications terminal in this state to disclose the amount of any charge imposed
13 by the state or national bank upon a person for making a transaction at the customer
14 bank communications terminal. This disclosure shall be made by posting a
15 statement on the customer bank communications terminal's screen. The joint rules
16 shall also require a state or national bank operating a customer bank
17 communications terminal in this state to allow a person, in response to this
18 disclosure, to discontinue the transaction without incurring a charge. The division
19 by order may authorize the installation and operation of a customer bank
20 communications terminal in a mobile facility, after notice and hearing upon the
21 proposed service stops of the mobile facility.

22 **SECTION 5. Nonstatutory provisions.**

23 (1) The division of banking, the office of credit unions, and the division of
24 savings institutions shall submit in proposed form the rules required under section
25 221.0303 (2) of the statutes, as affected by this act, to the legislative council staff

1 under section 227.15 (1) of the statutes no later than the first day of the 3rd month
2 beginning after the effective date of this subsection.

3 **SECTION 6. Effective date.**

4 (1) The treatment of sections 186.113 (15) (a), 214.04 (21) (b), 215.13 (46) (a) 1.,
5 and 221.0303 (2) of the statutes takes effect on the first day of the 6th month
6 beginning after publication.

7 (END)