

## 2007 ASSEMBLY BILL 239

April 10, 2007 – Introduced by Representatives VAN ROY, ALBERS, GUNDERSON, HAHN, JESKEWITZ, MURSAU, MUSSER, A. OTT, J. OTT, PETROWSKI, TOWNSEND, M. WILLIAMS, VOS, SHERIDAN, BALLWEG and MONTGOMERY, cosponsored by Senators SULLIVAN, GROTHMAN, HANSEN, A. LASEE, LASSA, ROESSLER and SCHULTZ. Referred to Committee on Financial Institutions.

1     **AN ACT** *to create* 134.85 of the statutes; **relating to:** automated teller machine  
2           charges for international accounts.

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### *Analysis by the Legislative Reference Bureau*

Under this bill, an agreement to operate or share an automated teller machine may not prohibit an owner or operator of the machine from imposing an access fee or surcharge on an individual who conducts a transaction using an account with a financial institution located outside the United States. The bill applies to an access fee or surcharge that is otherwise not prohibited under federal or state law.

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

3           **SECTION 1.** 134.85 of the statutes is created to read:

4           **134.85 Automated teller machines; international charges. (1)** In this  
5 section:

6           (a) “Automated teller machine” means any electronic information processing  
7 device located in this state that accepts or dispenses cash in connection with a credit,  
8 deposit, or other account. “Automated teller machine” does not include a device that

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1 is used solely to facilitate check guarantees or check authorizations, or that is used  
2 in connection with the acceptance or dispensing of cash on a person-to-person basis.

3 (b) “Foreign account” means an account with a financial institution located  
4 outside the United States.

5 (2) An agreement to operate or share an automated teller machine may not  
6 prohibit an owner or operator of the automated teller machine from imposing on an  
7 individual who conducts a transaction using a foreign account an access fee or  
8 surcharge that is not otherwise prohibited under federal or state law.

9 **SECTION 2. Initial applicability.**

10 (1) This act first applies to agreements entered into, modified, or renewed on  
11 the effective date of this subsection.

12 **SECTION 3. Effective date.**

13 (1) This act takes effect on the first day of the 2nd month beginning after  
14 publication.

15 (END)