

1 A bill to be entitled
 2 An act relating to automated teller machine transactions;
 3 amending s. 655.966, F.S.; authorizing machine owners or
 4 operators to impose access fees or surcharges for machine
 5 use; revising application to certain corporations;
 6 providing fee or surcharge disclosure requirements;
 7 providing certain agreement prohibitions relating to
 8 machine access fees or surcharges; providing construction
 9 relating to certain fee-free or surcharge-free network
 10 agreements; providing an effective date.

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 12 Be It Enacted by the Legislature of the State of Florida:

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 14 Section 1. Section 655.966, Florida Statutes, is amended
 15 to read:

16 655.966 Automated teller machine; surcharge disclosure.--

17 (1) The operator or owner of an automated teller machine
 18 in this state may charge an access fee or surcharge to a
 19 customer for the use of that machine. The fee or surcharge must
 20 be disclosed in compliance with 12 C.F.R., part 205, as amended.

21 (2) (a) Subject to the requirements of subsection (1), an
 22 agreement to operate or share an automated teller machine may
 23 not prohibit, limit, or restrict the right of the operator or
 24 owner of an automated teller machine, as defined in s.
 25 655.960(3), to may charge an access fee or surcharge, not
 26 otherwise prohibited under state or federal law, to a customer
 27 conducting a transaction using an account from an international
 28 banking corporation a financial institution, as defined in s.

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29 663.01 ~~s. 655.005(1)(h), which is located outside of the United~~
30 ~~States.~~

31 (b) Notwithstanding paragraph (a), nothing in this section
32 may be construed to prohibit or otherwise limit the ability of
33 an operator or owner of an automated teller machine to
34 voluntarily enter into an agreement regarding participation in
35 an access fee-free or surcharge-free network.

36 Section 2. This act shall take effect July 1, 2008.