

By the Committee on Commerce; and Senator Alexander

577-04748-08

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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; providing fee or surcharge disclosure requirements;
6 providing certain agreement prohibitions relating to
7 machine access fees or surcharges; providing construction
8 relating to certain fee-free or surcharge-free network
9 agreements; providing an effective date.

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

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

15 655.966 Automated teller machine; surcharge disclosure.--

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

20 (2) (a) Subject to the requirements of subsection (1), an
21 agreement to operate or share an automated teller machine may not
22 prohibit, limit, or restrict the right of the operator or owner
23 of an automated teller machine, as defined in s. 655.960(3), to
24 may charge an access fee or surcharge, not otherwise prohibited
25 under state or federal law, to a customer conducting a
26 transaction using an account from an international banking
27 corporation as defined in s. 663.01(6) a financial institution,
28 as defined in s. 655.005(1)(h), which is located outside of the
29 United States.

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30 (b) Notwithstanding paragraph (a), this section does not
31 prohibit or otherwise limit the ability of an operator or owner
32 of an automated teller machine to voluntarily enter into an
33 agreement regarding participation in an access fee-free or
34 surcharge-free network.

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