
Chapter 279. AN ACT RELATIVE TO PROCESSING OF FUNDS.

Be it enacted, etc., as follows:

SECTION 1. Section 4-406 of chapter 106 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by inserting after the figure "167D", in line 53, the following words:- and section 31 of chapter 171.

SECTION 2. Chapter 167B of the General Laws is hereby amended by striking out section 6, as so appearing, and inserting in place thereof the following section:-

Section 6. A person shall not issue to a consumer an access device to the consumer's account for the purpose of initiating an electronic fund transfer other than: (1) in response to a request or application therefor and upon verification of the consumer's identity, which may be by any reasonable means such as by photograph, fingerprint, personal visit, signature comparison or appropriate non-documentary means; or (2) as a renewal of, or in substitution for, an accepted access device, whether issued by the initial issuer or a successor.

SECTION 3. Said chapter 167B is hereby further amended by striking out section 17, as so appearing, and inserting in place thereof the following section:-

Section 17. A financial institution shall comply with the requirements and a consumer shall be entitled to the remedies for error resolution for an electronic fund transfer required in accordance with the Electronic Funds Transfer Act, 15 USC 1693 *et seq.* and regulations promulgated thereunder. If in an action under section 20, the court finds that the financial institution knowingly and willfully concluded that the consumer's account was not in error when the conclusion could not reasonably have been drawn from the evidence available to the financial institution at the time of its investigation, then the consumer shall be entitled to treble damages determined under clause (1) of subsection (a) of said section 20.

SECTION 4. Section 18 of said chapter 167B, as so appearing, is hereby amended by striking out, in lines 6 to 8, inclusive, the words " , such issuer has provided the consumer with a self-addressed, prestamped notification to be mailed by the consumer in the event of the loss or theft of the access device".

SECTION 5. Chapter 167D of the General Laws is hereby amended by striking out section 27, as so appearing, and inserting in place thereof the following section:-

Section 27. A bank or federally-chartered bank which accepts a deposit for demand deposit or other account subject to withdrawal by negotiable or transferable instrument for the purpose of making a transfer to a third party shall, if requested by the depositor, provide without charge not less than 25 cancelled instruments or legible copies of the fronts and backs thereof per calendar year; but, if requested by a depositor who is blind the bank shall make additional accommodations to provide additional cancelled instruments or information thereon as is possible in accordance with the Check Clearing for the 21st Century Act, 12 USC 5001 *et seq.*, and regulations promulgated thereunder. Section 4-406 of chapter 106 shall be subject to this section.

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SECTION 6. Section 31 of chapter 171 of the General Laws, as so appearing, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

A credit union which accepts deposits or shares for accounts subject to withdrawal by negotiable or transferable instrument for the purpose of making transfers to third parties shall, if requested by the depositor or shareholder, provide without charge not less than 25 cancelled instruments or legible copies of the fronts and backs thereof per calendar year; but, if requested by a depositor who is blind the credit union shall make additional accommodations to provide additional cancelled instruments or information thereon as is possible in accordance with the Check Clearing for the 21st Century Act, 12 USC 5001 et seq., and regulations promulgated thereunder. Section 4-406 of chapter 106 shall be subject to this section.

Approved August 30, 2006.

Chapter 280. AN ACT AUTHORIZING THE CITY OF FITCHBURG TO ABATE CERTAIN TAXES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law, rule or regulation to the contrary, the city of Fitchburg, acting through its board of assessors may abate all real estate taxes and related interest and charges on those taxes due and owing for the fiscal year 1998, on the properties located at and identified as:

198 Cedar Street	Map 13 Block 33 Lot 0
99 Snow Street	Map 32 Block 44 Lot 0
107 Snow Street	Map 32 Block 42 Lot 0
124 North Street	Map 32 Block 86 Lot 0
103 Snow Street	Map 32 Block 43 Lot 0
113 Snow Street	Map 32 Block 41 Lot 0
130 North Street	Map 32 Block 87 Lot 0
116 North Street	Map 32 Block 84 Lot 0
west side North Street	Map 32 Block 85 Lot 0

And for fiscal year 2000 on the properties located at and identified as:

349 Highland Avenue	Map 13 Block 23 Lot 0
129 Snow Street	Map 32 Block 37 Lot 0

And for fiscal year 2001 on the property located at and identified as:

95 Snow Street	Map 32 Block 45 Lot 0
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These properties have been conveyed to Fitchburg State College during the specified fiscal year.