

By Mr. Feeney of Boston, petition of John J. Roddy and Michael Paul Feeney relative to the time period provided in certain open end credit plans. Banks and Banking.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Nine.

AN ACT TO AMEND THE TIMING REQUIREMENTS FOR PERIODIC STATEMENTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Section 6A of Chapter 140C of the General Laws is hereby
2 amended by deleting the present text thereof and substituting the
3 following therefor:
4 "If the terms of an open end credit plan provide a time period
5 within which the customer may repay any portion of the new
6 balance without incurring an additional finance charge, late pay-
7 ment charge, or other charge, no such charge may be imposed with
8 respect to any portion of such new balance unless the periodic
9 statement disclosing the new balance is mailed or delivered to the
10 customer at least 14 days prior to the date specified in the statement
11 as being the date by which payment of the new balance must be
12 made in order to avoid the imposition of that finance charge or late
13 payment charge, except that such time limitation shall not apply in
14 any case where the creditor has been prevented, delayed, or hin-
15 dered in mailing or delivering the periodic statement within such
16 time limit because of an act of God, war, civil disorder, natural
17 disaster, or strike. Any finance charge assessed or collected in
18 violation of the provisions of this section shall be credited or
19 refunded to the customer within two billing cycles following such
20 assessment or collection. The failure to provide such credit or
21 refund within the period specified shall subject the creditor to the
22 penalties provided in subsection (b) of section ten."

