

By Mr. McManus of Worcester, petition of William J. McManus II relative to charges for dishonored checks. Banks and Banking.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety-Five.

**AN ACT RELATIVE TO CHARGES FOR DISHONORED CHECKS.**

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

1 Chapter 167D of the General Laws is hereby amended by  
2 striking out section 3, as appearing in the 1992 Official Edition,  
3 and inserting in place thereof the following:—

4 Section 3. A bank may receive demand, time and other types  
5 of deposits without limitation: provided, however, that no bank  
6 shall assess any fee, charge or other assessment against the  
7 account of a depositor who, as the payee of a check, draft or  
8 money order, deposits the same therein and payment on any such  
9 instrument is refused by the depository institution upon which it  
10 is drawn because of insufficient funds or because the maker  
11 thereof did not have an account at such depository institution;  
12 and provided, further, that no bank, on any one business day,  
13 shall assess a fee charge or other assessment against any  
14 checking account authorized by this chapter of a person who is  
15 the maker of checks upon which payment is refused because of  
16 insufficient funds which, in the aggregate, would exceed the  
17 amount charged by the bank for any one such check.

