

SB2186



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB2186

Introduced 2/15/2013, by Sen. Don Harmon

SYNOPSIS AS INTRODUCED:

810 ILCS 5/4A-108

from Ch. 26, par. 4A-108

Amends the Uniform Commercial Code. Provides that the Funds Transfers Article of the Code applies to certain funds transfers that are remittance transfers under the federal Electronic Fund Transfer Act. Provides that the federal Electronic Fund Transfer Act controls in the event of an inconsistency between that Act and the Funds Transfer Article of the Uniform Commercial Code.

LRB098 08539 JLS 38651 b

A BILL FOR

1 AN ACT concerning business transactions.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Uniform Commercial Code is amended by
5 changing Section 4A-108 as follows:

6 (810 ILCS 5/4A-108) (from Ch. 26, par. 4A-108)

7 Sec. 4A-108. Exclusion of consumer transactions governed
8 by federal law.

9 (a) Except as provided in subsection (b) this ~~This~~ Article
10 does not apply to a funds transfer any part of which is
11 governed by the Electronic Fund Transfer Act of 1978 (Title XX,
12 Public Law 95-630, 92 Stat. 3728, 15 U.S.C. Section 1693 et
13 seq.) as amended from time to time.

14 (b) This Article applies to a funds transfer that is a
15 remittance transfer as defined in the Electronic Fund Transfer
16 Act (15 U.S.C. Sec. 1693o-1), as amended from time to time,
17 unless the remittance transfer is an electronic fund transfer
18 as defined in the Electronic Fund Transfer Act (15 U.S.C. Sec.
19 1693a), as amended from time to time.

20 (c) In a funds transfer to which this Article applies, in
21 the event of an inconsistency between an applicable provision
22 of this Article and an applicable provision of the Electronic
23 Fund Transfer Act, the provision of the Electronic Fund

1 Transfer Act governs to the extent of the inconsistency.

2 (Source: P.A. 86-1291.)