S T A T E O F N E W Y O R K

4976

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

Introduced by M. of A. BRODSKY -- read once and referred to the Committee on Banks

AN ACT to amend the uniform commercial code, in relation to withdrawal of funds electronically

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The uniform commercial code is amended by adding a new section 4-A-109 to read as follows:

SECTION 4-A-109. WITHDRAWAL OF FUNDS ELECTRONICALLY.

(1) AS USED IN THIS SECTION, THE TERM "DEPOSITOR" MEANS ANY PERSON WHO HAS RECEIVED WRITTEN AUTHORIZATION TO DEPOSIT FUNDS ELECTRONICALLY.

(2) IT SHALL BE UNLAWFUL FOR A DEPOSITOR WHO IS NOT THE ACCOUNT HOLDER TO WITHDRAW FUNDS FROM A DIRECT DEPOSIT ACCOUNT ELECTRONICALLY WITHOUT THE EXPRESS, WRITTEN CONSENT OF THE ACCOUNT HOLDER FOR EACH INDIVIDUAL WITHDRAWAL.

S 2. This act shall take effect on the sixtieth day after it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD08658-01-9