

**SENATE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Menard, Joan (SEN)**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to certain transactions by a foreign transmittal agency subject to the supervision of the commissioner of banks.

PETITION OF:

NAME:

Menard, Joan (SEN)

DISTRICT/ADDRESS:

First Bristol and Plymouth

# The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine  
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AN ACT RELATIVE TO CERTAIN TRANSACTIONS BY A FOREIGN TRANSMITTAL AGENCY  
SUBJECT TO THE SUPERVISION OF THE COMMISSIONER OF BANKS.

*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 1. Section 8 of Chapter 169 of the General Laws, as appearing in the 2000  
2 Official Edition, is hereby amended by adding at the end thereof the following paragraph:

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4           A charge assessed by a licensee in a transaction governed by this chapter effected by the use  
5 of the telephone or the Internet where a credit card is accepted as payment therefore and for  
6 which the charge assessed is greater than the charge imposed when such payment is made in cash  
7 or similar means shall not constitute a surcharge for the purpose of paragraph 2 of subsection (a)  
8 of Section 28A of Chapter 140D. A licensee that provides transmissions effected by the use of  
9 the telephone or the Internet shall disclose to the consumer, prior to the transaction being  
10 consummated, (1) the total charge for the funds transmission, and (2) the charge for a funds  
11 transmission service may differ based on the distribution channel used in the transaction. With  
12 respect to telephone transactions, such disclosures shall be made orally.