

ASSEMBLY, No. 1728

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

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District 17 (Middlesex and Somerset)

Co-Sponsored by:

**Assemblywoman Chaparro, Assemblymen Coughlin, Holley,
Assemblywoman Murphy and Assemblyman Benson**

SYNOPSIS

Requires depository institutions to provide paper account statements to elder adults.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning depository institutions and account statements
2 and supplementing Title 17 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. As used in this act:

8 “Account” means an account in a depository institution with
9 respect to which the account holder is permitted to make
10 withdrawals by negotiable or transferable instrument, payment
11 orders of withdrawal, telephone transfers, or other similar items for
12 the purpose of making payments or transfers to third persons or
13 others, including a demand deposit account, negotiable order of
14 withdrawal account, draft account, savings deposit account subject
15 to automatic transfers, share draft account, and all savings deposit
16 and share accounts other than time deposit accounts.

17 “Depository institution” means a State chartered bank, savings
18 bank, savings and loan association or credit union doing business in
19 this State.

20 “Elder adult” means an individual who is at least 65 years of age.

21 “Periodic account statement” means a written statement provided
22 on a regular basis at the end of each periodic cycle by a depository
23 institution to an account holder that reflects all debits and credits to
24 an account held by the account holder during a periodic cycle.

25 “Periodic cycle” means a period of time which is equal to or
26 shorter than a calendar quarter and, if shorter than a calendar
27 quarter, divides a calendar quarter into approximately equal units of
28 time.

29

30 2. Notwithstanding any other law to the contrary, with respect to
31 any account held by an elder adult, a depository institution shall
32 mail periodic account statements in paper form to the account
33 holder without charge, unless the elder adult notifies the depository
34 institution that the elder adult chooses to opt out of receiving the
35 periodic statement in paper form.

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37 3. If a depository institution violates this act, the Commissioner
38 of Banking and Insurance may order the depository institution to
39 cease any violation or subject the institution to a fine of not more
40 than \$500 for each violation. The fine shall be collected by the
41 commissioner in a summary manner pursuant to the “Penalty
42 Enforcement Law of 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.).

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44 4. The commissioner may promulgate regulations pursuant to
45 the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
46 seq.), necessary to effectuate the provisions of this act.

1 5. This act shall take effect on the 90th day next following
2 enactment.

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STATEMENT

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7 This bill provides that a State bank, savings bank, savings and loan
8 association or credit union shall mail periodic account statements in
9 paper form to any account holder that is an elder adult without charge,
10 unless the elder adult notifies the depository institution that the elder
11 adult chooses to opt out of receiving the periodic statement in paper
12 form.

13 Under the bill a "periodic account statement" means a written
14 statement provided on a regular basis at the end of each periodic cycle
15 by a depository institution to an account holder that reflects all debits
16 and credits to an account held by the account holder during a periodic
17 cycle. A "periodic cycle" means a period of time which is equal to or
18 shorter than a calendar quarter and, if shorter than a calendar quarter,
19 divides a calendar quarter into approximately equal units of time.