

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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HOUSE BILL 78\*

Short Title: Amend UCC Article 4A/Funds Transfers. (Public)

Sponsors: Representative Blust (Primary Sponsor).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Judiciary Subcommittee A.

February 7, 2013

A BILL TO BE ENTITLED

AN ACT TO AMEND UNIFORM COMMERCIAL CODE ARTICLE 4A, FUNDS TRANSFERS, TO CONTINUE THE APPLICABILITY OF THAT ARTICLE TO REMITTANCE TRANSFERS THAT ARE NOT ELECTRONIC FUND TRANSFERS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 25-4A-108 reads as rewritten:

**"§ 25-4A-108. ~~Exclusion of consumer transactions governed by federal law.~~ Relationship to Electronic Fund Transfer Act.**

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

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

(c) In a funds transfer to which this Article applies, in the event of an inconsistency between an applicable provision of this Article and an applicable provision of the Electronic Fund Transfer Act, the provision of the Electronic Fund Transfer Act governs to the extent of the inconsistency."

**SECTION 2.** The Revisor of Statutes shall cause to be printed, as annotations to the published General Statutes, all relevant portions of the Official Comment to the 2012 Amendment to Section 4A-108 of the Uniform Commercial Code as the Revisor may deem appropriate.

**SECTION 3.** This act is effective when it becomes law.

