

CHAPTER 99

CONSUMER AND COMMERCIAL TRANSACTIONS

HOUSE BILL 13-1157

BY REPRESENTATIVE(S) McNulty, Priola, Gardner, Levy, Coram, Hullinghorst, Labuda;
also SENATOR(S) Giron.**AN ACT****CONCERNING ADOPTION OF THE 2012 "UNIFORM COMMERCIAL CODE" ARTICLE 4.5 AMENDMENTS.***Be it enacted by the General Assembly of the State of Colorado:***SECTION 1.** In Colorado Revised Statutes, **amend** 4-4.5-108 as follows:**4-4.5-108. Relationship to federal "Electronic Fund Transfer Act of 1978".**

(1) EXCEPT AS PROVIDED IN SUBSECTION (2) 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~~ PUB.L. 95-630, 92 Stat. 3728, 15 U.S.C. ~~section~~ SEC. 1693 et seq., as amended from time to time.

(2) THIS ARTICLE APPLIES TO A FUNDS TRANSFER THAT IS A REMITTANCE TRANSFER AS DEFINED IN THE FEDERAL "ELECTRONIC FUND TRANSFER ACT OF 1978", 15 U.S.C. SEC. 1693o-1, AS AMENDED FROM TIME TO TIME, UNLESS THE REMITTANCE TRANSFER IS AN ELECTRONIC FUND TRANSFER AS DEFINED IN THE FEDERAL "ELECTRONIC FUND TRANSFER ACT OF 1978", 15 U.S.C. SEC. 1693a, AS AMENDED FROM TIME TO TIME.

(3) 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 FEDERAL "ELECTRONIC FUND TRANSFER ACT OF 1978", THE PROVISION OF THE FEDERAL "ELECTRONIC FUND TRANSFER ACT OF 1978" GOVERNS TO THE EXTENT OF THE INCONSISTENCY.

SECTION 2. Applicability. This act applies to acts occurring on or after the effective date of this act.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 4, 2013