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HOUSE BILL 68

**47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005**

INTRODUCED BY

Patricia A. Lundstrom

AN ACT

RELATING TO BANKING; REGULATING FEES ASSESSED ON ACCOUNTS OF  
CERTAIN MINORS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 58-1-5 NMSA 1978 (being Laws 1963,  
Chapter 305, Section 6) is amended to read:

"58-1-5. DEPOSIT OF MINOR--SCHOOL OR INSTITUTIONAL  
DEPOSITS--LIMIT ON FEES.--

A. A bank may operate a deposit account in the name  
of a minor or in the name of two or more persons, one or more  
of whom are minors, with the same effect upon its liability as  
if [~~such~~] the minors were of full age.

B. Subject to such regulations as the  
[~~commissioner~~] director may prescribe for the protection of  
depositors, a bank may contract with the proper authorities of

underscoring material = new  
[bracketed material] = delete

1 any elementary or secondary school or of any institution caring  
2 for minors for the participation by the bank in any school or  
3 institutional thrift or savings plan, and it may accept  
4 deposits at such a school or institution, either by its own  
5 collector or by any representative of the school or institution  
6 who becomes the agent of the bank for ~~[such]~~ that purpose.

7 C. A bank shall not assess a service charge in  
8 excess of twelve dollars (\$12.00) per year on a savings account  
9 in the name of a person who is under the age of fourteen."

10 Section 2. Section 58-10-59 NMSA 1978 (being Laws 1967,  
11 Chapter 61, Section 57) is amended to read:

12 "58-10-59. SAVINGS ACCOUNTS OF MINORS--LIMIT ON FEES--

13 A. Any association operating under the Savings and  
14 Loan Act and any federal savings and loan association doing  
15 business in this state may accept a savings ~~[accounts]~~ account  
16 in the name of a minor or in the name of two or more persons,  
17 one or more of whom are minors, and pay the account to the  
18 order of the minor ~~[or minors]~~ as if ~~[they]~~ the minor were of  
19 full age.

20 B. An association or federal association shall not  
21 assess a service charge in excess of twelve dollars (\$12.00)  
22 per year on a savings account in the name of a person who is  
23 under the age of fourteen."

24 Section 3. Section 58-11-42 NMSA 1978 (being Laws 1987,  
25 Chapter 311, Section 42) is amended to read:

.152735.1

1 "58-11-42. ACCOUNTS OF MINORS--LIMITATION OF FEES.--

2 A. Payments on share accounts and deposit accounts  
3 may be received from a minor who may withdraw funds from those  
4 accounts, including the dividends and interest thereon.

5 Payments on share accounts and deposit accounts by a minor and  
6 withdrawal by the minor shall be valid in all respects. For  
7 such purposes, a minor is deemed of full age.

8 B. A credit union shall not assess a service charge  
9 in excess of twelve dollars (\$12.00) per year on a savings  
10 account in the name of a person who is under the age of  
11 fourteen."