

112TH CONGRESS
1ST SESSION

H. R. 3190

To amend the Federal Deposit Insurance Act to prohibit insured depository institutions from charging consumers fees for the use of debit cards.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 13, 2011

Mr. CICILLINE introduced the following bill; which was referred to the
Committee on Financial Services

A BILL

To amend the Federal Deposit Insurance Act to prohibit insured depository institutions from charging consumers fees for the use of debit cards.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROHIBITION ON FEES ON DEBIT CARDS.**

4 The Federal Deposit Insurance Act is amended by
5 adding at the end the following:

6 **“SEC. 51. PROHIBITION ON FEES ON DEBIT CARDS.**

7 “(a) IN GENERAL.—An insured depository institution
8 may not charge a fee to any consumer for receiving or
9 using a debit card.

1 “(b) CIVIL LIABILITY.—Any entity that violates sub-
2 section (a) with respect to a consumer is liable to that
3 consumer in an amount equal to the sum of—

4 “(1) any actual damages sustained by the con-
5 sumer as a result of the violation or damages of not
6 less than \$100 and not more than \$1,000;

7 “(2) such amount of punitive damages as the
8 court may allow; and

9 “(3) in the case of any successful action to en-
10 force any liability under this section, the costs of the
11 action together with reasonable attorney’s fees as de-
12 termined by the court.

13 “(c) DEFINITIONS.—For purposes of this section, the
14 terms ‘consumer’ and ‘debit card’ have the meaning given
15 such terms, respectively, under section 603 of the Fair
16 Credit Reporting Act (15 U.S.C. 1681a).”.

○