

SENATE BILL No. 604

September 7, 2011, Introduced by Senators YOUNG and BIEDA and referred to the Committee on Banking and Financial Institutions.

A bill to amend 1999 PA 276, entitled
"Banking code of 1999,"
(MCL 487.11101 to 487.15105) by adding section 4103a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 4103A. (1) IF 1 OR MORE CUSTOMERS APPLY TO ESTABLISH A
2 JOINT ACCOUNT AT A BANK, THE BANK SHALL DO ALL OF THE FOLLOWING
3 BEFORE OPENING THE ACCOUNT:

4 (A) PROVIDE EACH JOINT ACCOUNT HOLDER WITH THE FOLLOWING
5 DISCLOSURE IN WRITING:

6 "A JOINT ACCOUNT MEANS THAT EACH ACCOUNT HOLDER IS THE OWNER
7 OF THE MONEY IN THIS ACCOUNT. THIS MEANS THAT YOU AND EACH OF THE
8 OTHER ACCOUNT HOLDERS HAVE THE AUTHORITY TO DEPOSIT OR WITHDRAW
9 MONEY FROM THIS ACCOUNT AT ANY TIME.

10 IF THAT IS NOT YOUR INTENTION, YOU SHOULD NOT OPEN THIS
11 ACCOUNT.

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1 IF IT IS YOUR INTENTION THAT THE OTHER ACCOUNT HOLDER OR
2 ACCOUNT HOLDERS RECEIVE THE MONEY IN THE ACCOUNT ONLY WHEN YOU DIE,
3 THERE ARE OTHER TYPES OF ACCOUNTS AVAILABLE THAT DESIGNATE OTHER
4 INDIVIDUALS AS BENEFICIARIES OF THE ACCOUNT AND DO NOT ALLOW THEM
5 ACCESS TO THE MONEY IN THE ACCOUNT DURING YOUR LIFETIME.

6 IF IT IS YOUR INTENTION TO OPEN AN ACCOUNT THAT DESIGNATES 1
7 OR MORE INDIVIDUALS AS BENEFICIARIES OF YOUR ACCOUNT WHEN YOU DIE,
8 AND NOT TO CREATE A JOINT ACCOUNT, THERE ARE OTHER TYPES OF
9 ACCOUNTS AVAILABLE.".

10 (B) REQUIRE THAT EACH JOINT ACCOUNT HOLDER SIGN AND DELIVER TO
11 THE BANK A WRITTEN ACKNOWLEDGMENT THAT THE ACCOUNT HOLDER HAS READ
12 AND UNDERSTANDS THE DISCLOSURE DESCRIBED IN SUBDIVISION (A).

13 (2) A BANK MAY INCLUDE THE DISCLOSURE AND ACKNOWLEDGMENT
14 DESCRIBED IN SUBSECTION (1) ON OR WITH ANY SIGNATURE CARD REQUIRED
15 BY THE BANK FROM THE JOINT ACCOUNT HOLDERS IN CONNECTION WITH AN
16 ACCOUNT.