



**Montana Legislative Services Division**  
**Legal Services Office**

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**TO:** State Administration and Veterans' Affairs Interim Committee

**FROM:** K. Virginia Aldrich

**DATE:** August 8, 2014

**RE:** Legislative Administrative Rule Review Report

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Pursuant to 5-5-228, MCA, the State Administration and Veterans' Affairs Interim Committee is responsible for reviewing administrative rules within its jurisdiction. Staff for the State Administration and Veterans' Affairs Interim Committee has prepared this report for informational purposes only. This report does not represent any action or opinion of the State Administration and Veterans' Affairs Interim Committee and does not preclude additional action that may be taken by the State Administration and Veterans' Affairs Interim Committee pursuant to its authority under the Montana Administrative Procedure Act (Title 2, chapter 4, MCA).

**MAR NOTICE NUMBER:** 44-2-199

**AGENCY/BOARD:** Secretary of State

**RULE CLASSIFICATION:** (e.g. substantive/interpretative/emergency/temporary):  
Substantive

**SUBJECT:** Returned Check Service Fees

**NOTICE DESCRIPTION:** (e.g. proposal notice/adoption notice): Proposal Notice

**SUMMARY OF RULE(S):**

The Secretary of State proposes to adopt a new rule concerning returned check service fees. These fees will allow the Secretary of State to charge a fee when checks are returned for lack of funds. The rule allows two exceptions: when the payer's financial institution confirms that the check was returned due to an error on the part of the financial institution and when the check cannot be processed through the Secretary of State's online payment processor due to an invalid routing or account number.

**NOTES:** (e.g. hearing dates)

A public hearing is scheduled on the above-referenced rule on August 28, 2014, at 9:30 a.m. in Room 260, Secretary of State's Conference Room, State Capitol Building, Helena, Montana. The public comment period ends on September 5, 2014.