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JANUARY 30, 2004

**SENATE COMMITTEE CONSIDERS LEGISLATION
REVISING MISSOURI'S BANKING LAWS**

JEFFERSON CITY -- The Senate Financial and Governmental Organization, Veterans' Affairs and Elections Committee considered legislation that would revise Missouri's banking laws and create the Missouri Higher Education Deposit Program.

Sponsored by Sen. Anita Yeckel, R-Sunset Hills, who also serves as chairman of this committee, Senate Bill 1038 makes a variety of changes to Missouri's banking laws including creating definitions for the deceptive use of a financial institution's name in notification or solicitation and deceptive use of another's name in notification or solicitation.

"In recent years this has become a big problem for some banks," said Yeckel.

A financial institution whose name is deceptively used could bring a private civil action and could recover a minimum of \$10,000, plus court costs and attorneys fees, plus any damages such financial institution proves at trial.

SB 1038 would create the Missouri Higher Education Deposit Program as an alternative to the Missouri Higher Education Program. Participants can elect to participate in both programs.

The new program would be administered by the Missouri Higher Education Deposit Program Board consisting of the director of the Division of Finance, the commissioner of the Department of Higher Education, the commissioner of the Office of Administration and private citizen representatives with experience in the areas of deposit rate determination and placement of certificates of deposit. Members of the board will be subject to conflict of interest provisions for public employees.

The board would have the power to develop and implement the program, including the authority to enter into agreements with financial entities for the operation of the deposit program.

In addition, SB 1038 toughens the laws on identity theft depending on the dollar amount of the stolen property, ranging from a Class A misdemeanor to a Class A felony.

As a result of the Internet and other technology, identity theft is a growing problem not only in Missouri, but throughout the United States.

“In simple terms, identity theft takes place when another person illegally uses your name, Social Security number or some other protected form of identification to gain access to your money or personal property,” Yeckel said. “For example, someone could open a bank account in your name and write bad checks on that account, or they counterfeit checks or debit cards and drain your account.”

The bill would authorize the filing of a civil action to recover damages of up to \$5,000 per incident or three times the amount of actual damages, whichever is greater.

Other legislation considered by the committee:

Senate Bill 1014 – Would prohibit requiring St. Louis Police officers to reside within the city after four years of employment. This bill is sponsored by Yeckel and testimony will continue at the Feb. 2 committee meeting.

Senate Bill 800 - This bill would create a \$1 check-off on the Missouri income tax return. The money designated by the check-off will be deposited into the ALS Lou Gehrig's Disease Fund, to be distributed to the Missouri ALS Associations for the St. Louis and Kansas City regions. The check-off of one dollar is primarily for taxpayers that receive a refund. Taxpayers who owe taxes could contribute to the fund and any taxpayer may elect to contribute more than \$1.

Senate Bill 1039 – Sponsored by Yeckel, this bill would regulate the licensing of naturopathic physicians.