

17:15A-43
LEGISLATIVE HISTORY CHECKLIST
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LAWS OF: 2019 **CHAPTER:** 261

NJSA: 17:15A-43 (Modifies certain fees charged by check casher licensees.)

BILL NO: A4420 (Substituted for S833)

SPONSOR(S) Jamel C. Holley and others

DATE INTRODUCED: 9/17/2018

COMMITTEE: **ASSEMBLY:** Consumer Affairs

SENATE: Commerce

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 6/20/2019

SENATE: 6/20/2019

DATE OF APPROVAL: 8/23/2019

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (First Reprint enacted) Yes

A4420

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S833

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

RWH/CL

P.L. 2019, CHAPTER 261, *approved August 23, 2019*
Assembly, No. 4420 (*First Reprint*)

1 AN ACT concerning licensed check cashers and amending P.L.1993,
2 c.383.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 14 of P.L.1993, c.383 (C.17:15A-43) is amended to
8 read as follows:

9 14. No licensee shall charge a fee or receive any other
10 consideration, directly or indirectly, which is greater than the
11 amount permitted pursuant to this section, as follows:

12 a. For cashing a check drawn on a depository institution or
13 other financial entity located in this or any other State, two percent
14 of the face amount of the check, or \$90, whichever is greater;

15 b. For cashing a check payable to a recipient of Temporary
16 Assistance for Needy Families (TANF), one percent of the face
17 amount of the check, or \$.90, whichever is greater;

18 c. For cashing a check payable to a recipient of supplemental
19 security income pursuant to Subchapter XVI of the Social Security
20 Act, 42 U.S.C. s.1381 et seq., one and one half percent of the face
21 amount of the check, or \$.90, whichever is greater;

22 d. For cashing a check payable to a recipient of old-age and
23 survivors benefit payments pursuant to Subchapter II of the Social
24 Security Act, 42 U.S.C. s.401 et seq., one and one half percent of
25 the face amount of the check, or \$.90, whichever is greater;

26 e. On or after the 365th day from the effective date of this act,
27 subsequent increases to the fees which may be charged pursuant to
28 subsection a. of this section by a licensee for cashing a check, draft
29 or money order shall be set by the commissioner by regulation;

30 f. In setting the fees pursuant to subsection e. of this section,
31 the commissioner shall consider, but not be limited to, the
32 following:

33 (1) rates charged in the past;

34 (2) the income, cost and expense of the operation of licensees;

35 (3) rates charged by licensed check cashers or other similar
36 entities located in other states for the same or similar services and
37 the factors upon which those rates are based;

38 (4) changes in the population served; and

39 (5) a reasonable profit for check cashers; and

40 g. ¹**Subject to the provisions of subsections b., c., and d. of**
41 **this section, for** ¹**For** ¹**cashing** ¹**a check payable to a non-natural**

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined **thus** is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ACO committee amendments adopted June 6, 2019.

1 person or]¹ a check in excess of \$2,500, a licensee may charge up
2 to three percent of the face amount of the check ¹, except, in the
3 case of a check subject to subsection b., c., or d. of this section, the
4 licensee shall charge no greater amount than the amount specified
5 in the applicable subsection¹.
6 (cf: P.L.2015, c.233, s.2)

7
8 2. This act shall take effect immediately.

9
10
11 _____
12
13 Modifies certain fees charged by check casher licensees.

ASSEMBLY, No. 4420

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED SEPTEMBER 17, 2018

Sponsored by:

Assemblyman JAMEL C. HOLLEY

District 20 (Union)

SYNOPSIS

Modifies certain fees charged by check casher licensees.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning licensed check cashers and amending P.L.1993,
2 c.383.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 14 of P.L.1993, c.383 (C.17:15A-43) is amended to
8 read as follows:

9 14. No licensee shall charge a fee or receive any other
10 consideration, directly or indirectly, which is greater than the
11 amount permitted pursuant to this section, as follows:

12 a. For cashing a check drawn on a depository institution or
13 other financial entity located in this or any other State, two percent
14 of the face amount of the check, or \$.90, whichever is greater;

15 b. For cashing a check payable to a recipient of Temporary
16 Assistance for Needy Families (TANF), one percent of the face
17 amount of the check, or \$.90, whichever is greater;

18 c. For cashing a check payable to a recipient of supplemental
19 security income pursuant to Subchapter XVI of the Social Security
20 Act, 42 U.S.C. s.1381 et seq., one and one half percent of the face
21 amount of the check, or \$.90, whichever is greater;

22 d. For cashing a check payable to a recipient of old-age and
23 survivors benefit payments pursuant to Subchapter II of the Social
24 Security Act, 42 U.S.C. s.401 et seq., one and one half percent of
25 the face amount of the check, or \$.90, whichever is greater;

26 e. On or after the 365th day from the effective date of this act,
27 subsequent increases to the fees which may be charged pursuant to
28 subsection a. of this section by a licensee for cashing a check, draft
29 or money order shall be set by the commissioner by regulation;

30 f. In setting the fees pursuant to subsection e. of this section,
31 the commissioner shall consider, but not be limited to, the
32 following:

33 (1) rates charged in the past;

34 (2) the income, cost and expense of the operation of licensees;

35 (3) rates charged by licensed check cashers or other similar
36 entities located in other states for the same or similar services and
37 the factors upon which those rates are based;

38 (4) changes in the population served; and

39 (5) a reasonable profit for check cashers; and

40 g. Subject to the provisions of subsections b., c., and d. of this
41 section, for cashing a check payable to a non-natural person or a
42 check in excess of \$2,500, a licensee may charge up to three percent
43 of the face amount of the check.

44 (cf: P.L.2015, c.233, s.2)

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 2. This act shall take effect immediately.

2

3

4

STATEMENT

5

6 This bill modifies certain fees charged by check casher licensees.
7 Specifically, the bill permits check casher licensees to charge a fee
8 of up to three percent of the face amount of the check on checks
9 that are payable to an entity, rather than a “natural person,” or on
10 checks in excess of \$2,500.

ASSEMBLY CONSUMER AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4420

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 6, 2019

The Assembly Consumer Affairs Committee reports favorably and with committee amendments Assembly Bill No. 4420.

As amended and reported by the committee, this bill modifies certain fees charged by check casher licensees. Specifically, the amended bill permits check casher licensees to charge a fee of up to three percent of the face amount of the check on checks in excess of \$2,500.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- 1) Delete a provision of the bill that allowed check casher licensees to charge a fee of up to three percent of the face amount of the check on checks that are payable to an entity; and
- 2) Clarify that the provisions of current law regarding fees for cashing a check payable to recipients of Temporary Assistance for Needy Families and certain Social Security income remain in place, and are unaffected by the change in fees for checks in excess of \$2,500 proposed by the bill.

SENATE, No. 833

STATE OF NEW JERSEY
218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

SYNOPSIS

Modifies certain fees charged by check casher licensees.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



S833 SCUTARI

2

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2 c.383.

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5 of New Jersey:

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7 1. Section 14 of P.L.1993, c.383 (C.17:15A-43) is amended to
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16 Assistance for Needy Families (TANF), one percent of the face
17 amount of the check, or \$.90, whichever is greater;

18 c. For cashing a check payable to a recipient of supplemental
19 security income pursuant to Subchapter XVI of the Social Security
20 Act, 42 U.S.C. s.1381 et seq., one and one half percent of the face
21 amount of the check, or \$.90, whichever is greater;

22 d. For cashing a check payable to a recipient of old-age and
23 survivors benefit payments pursuant to Subchapter II of the Social
24 Security Act, 42 U.S.C. s.401 et seq., one and one half percent of
25 the face amount of the check, or \$.90, whichever is greater;

26 e. On or after the 365th day from the effective date of this act,
27 subsequent increases to the fees which may be charged pursuant to
28 subsection a. of this section by a licensee for cashing a check, draft
29 or money order shall be set by the commissioner by regulation;

30 f. In setting the fees pursuant to subsection e. of this section,
31 the commissioner shall consider, but not be limited to, the
32 following:

33 (1) rates charged in the past;

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35 (3) rates charged by licensed check cashers or other similar
36 entities located in other states for the same or similar services and
37 the factors upon which those rates are based;

38 (4) changes in the population served; and

39 (5) a reasonable profit for check cashers; and

40 g. Subject to the provisions of subsections b., c., and d. of this
41 section, for cashing a check payable to a non-natural person or a
42 check in excess of \$2,500, a licensee may charge up to three percent
43 of the face amount of the check.

44 (cf: P.L.2015, c.233, s.2)

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

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S833 SCUTARI

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6 This bill modifies certain fees charged by check casher licensees.
7 Specifically, the bill permits check casher licensees to charge a fee
8 of up to three percent of the face amount of the check on checks
9 that are payable to an entity, rather than a “natural person,” or on
10 checks in excess of \$2,500.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 833

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 7, 2019

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 833.

This bill modifies certain fees charged by check casher licensees. Specifically, the bill permits check casher licensees to charge a fee of up to three percent of the face amount of the check on checks in excess of \$2,500.

This bill was pre-filed for introduction in the 2018-2019 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) Delete a provision of the bill that allowed check casher licensees to charge a fee of up to three percent of the face amount of the check on checks that are payable to an entity.

(2) Clarify that the provisions of current law regarding fees for cashing a check payable to recipients of Temporary Assistance for Needy Families and certain Social Security income remain in place, and are unaffected by the change in fees for checks in excess of \$2,500 proposed by the bill.

Governor Murphy Takes Action on Legislation

08/23/2019

Governor Murphy Takes Action on Legislation

TRENTON – Today, Governor Phil Murphy signed the following bills and resolutions into law:

A3118 (Burzichelli, Schepisi, Jasey/Bucco, Thompson) - Establishes licensure for master hearth specialists.

A4420 (Holley/Scutari) - Modifies certain fees charged by check casher licensees.

A4482 (Verrelli, Murphy, Downey/Greenstein) - Establishes "Task Force on the Prevention of Sexual Violence Against Persons with Developmental Disabilities" in DHS.

A5293 (Pinkin, Zwicker, Lopez, McKeon/Smith, Bateman, Greenstein) - Makes various changes to laws governing remediation of contaminated sites.

A5390 (Tucker, Mukherji, Timberlake/Gopal, Oroho) - Provides in-State tuition at public institutions of higher education to individuals living in NJ who are entitled to educational assistance under US Department of Veterans Affairs' Vocational Rehabilitations and Employment Program.

S499 (Vitale, Madden/Downey, Houghtaling, Zwicker) - Provides for improved system for eligibility determination for Medicaid and NJ FamilyCare.

[Copy of Statement on S499](#)

S785 (Sarlo, Lagana/Calabrese, Mukherji) - Requires Police Training Commission to develop supplemental training course for certain county corrections officers.

S1014 (Rice/Wimberly, Mukherji) - Changes composition of State Employment and Training Commission.

S1126 (Bucco, Doherty, Bucco/Coughlin, Webber) - Requires public school districts to provide instruction on "New Jersey Safe Haven Infant Protection Act" as part of New Jersey Student Learning Standards.

S1403 (Diegnan, Singleton/DeAngelo, Mazzeo, Sumter) - Permits service credit transferred from another State-administered retirement system to apply toward creditable service requirement for retirement in SPRS.

S1887 (Singleton, Greenstein/DeAngelo, Wirths, Space) - Directs Commissioner of Labor and Workforce Development to establish pilot program to assist certain unemployed and underemployed individuals to complete industry-valued Credentials in 12 months.

S1948 (Vitale/Quijano, Holley, Lopez) - Makes Supplemental Nutrition Assistance Program Employment and Training Provider Demonstration Project permanent and renames program.

S2507 (Singleton, Pou/Danielsen, DeCroce) - Prohibits sale or lease of access to certain dental provider network contracts.

S2538 (Singleton, Pennacchio/Kean, Murphy, DeCroce, Armato) - Makes New Jersey National Guard members with NGB-22 form eligible for certain veterans' benefits.

S2660 (Gopal, Sarlo/Downey, Houghtaling, Schaer) - Establishes grant program and tuition reimbursement program for certain teachers of science, technology, engineering, and mathematics; appropriates \$5 million to DOE.

[Copy of Statement on S2660](#)

S2690 (Ruiz, Cryan, Beach, Turner, Andrzejczak/McKeon, Dancer, Land) - Prohibits pharmacy benefits managers and carriers from engaging in "clawback" and "gag clause" practices; requires certain disclosures by pharmacists; requires Director of Division of Consumer Affairs to conduct public information campaign.

S2691 (Kean, Cunningham/Quijano, Vainieri Huttle, Reynolds-Jackson) - Makes supplemental appropriation of \$100,000 to Commission on Human Trafficking.

[Copy of Statement on S2691](#)

S3100 (Weinberg, Addiego/Benson, Vainieri Huttle, Mukherji) - Revises definition of hemophilia and expands hemophilia treatment program.

SJR73 (Singleton/Murphy, Verrelli, Dancer) - Urges U.S. Congress to pass "Military Hunger Prevention Act."

Governor Murphy conditionally vetoed the following bills:

A3717 (Mukherji, Downey, Houghtaling/Greenstein, Gopal) - Prohibits pharmacy benefits managers from making certain retroactive reductions in claims payments to pharmacies; requires pharmacy benefits managers to disclose certain product information to pharmacies.

[Copy of Statement on A3717](#)

A5363 (Burzichelli, Benson, Murphy/Gopal) - Requires carriers that offer health benefits plans to provide new or existing subscribers with notification of certain hospital and health system contract expirations.

[Copy of Statement on A5363](#)

S834 (Scutari, Greenstein/Jones, Pintor Marin) - Prohibits resale of non-prescription diabetes test devices by pharmacists.

[Copy of Statement on S834](#)

S2804 (Ruiz, Turner/Lopez, McKnight, Verrelli) - Requires young children entering public schools or Head Start Programs for first time to have comprehensive eye examination completed.

[Copy of Statement on S2804](#)

S3075 (Weinberg, Ruiz/Lampitt, Mukherji, Vainieri Huttle) - Requires DOH to regulate and license embryo storage facilities.

[Copy of Statement on S3075](#)

S3309 (Vitale, Greenstein/Greenwald, Pintor Marin, Reynolds-Jackson) - Establishes New Jersey Violence Intervention Program to fund violence reduction initiatives.

[Copy of Statement on S3309](#)

S3330 (Addiego, Singleton/Jones, Vainieri Huttle, Lampitt, Murphy) - Establishes pilot program in DCF to study impact of child care services provided by community providers operating in public school facilities; requires community providers to meet certain criteria.

[Copy of Statement on S3330](#)

S3661 (Singleton, Oroho/Jasey, Wirths, Webber) - Clarifies assessment payment and election participation requirements in planned real estate developments.

[Copy of Statement on S3661](#)

Governor Murphy absolute vetoed the following bills and resolutions:

A4135 (Land, Taliaferro/Sweeney, Andrzejczak) - Concerns use of digital parking meters to monitor parking compliance; establishes fund to encourage designated drivers.

[Copy of Statement on A4135](#)

AJR158 (Houghtaling, Downey, Mosquera/Gopal) - Establishes New Jersey Task Force on Medicaid Financial

Resource Limits.

[Copy of Statement on AJR158](#)

S1364 (Andrzejczak/Land, Milam) - Provides funding from the General Fund to the Greater Wildwoods Tourism Improvement and Development Authority; appropriates \$4 million.

[Copy of Statement on S1364](#)