Enrolled Copy S.B. 86

1	SAVINGS PROMOTION PROGRAMS	
2	2019 GENERAL SESSION	
3	STATE OF UTAH	
4	Chief Sponsor: Lincoln Fillmore	
5	House Sponsor: Tim Quinn	
6 7	LONG TITLE	
8	General Description:	
9	This bill enacts provisions in the Financial Institutions Act related to savings promotion	
10	programs.	
11	Highlighted Provisions:	
12	This bill:	
13	defines terms;	
14	 permits a depository institution to conduct a savings promotion program under 	
15	certain conditions; and	
16	 permits the Commissioner of Financial Institutions to make rules related to savings 	
17	promotion programs.	
18	Money Appropriated in this Bill:	
19	None	
20	Other Special Clauses:	
21	None	
22	Utah Code Sections Affected:	
23	ENACTS:	
24	7-1-619, Utah Code Annotated 1953	
25		
26	Be it enacted by the Legislature of the state of Utah:	
27	Section 1. Section 7-1-619 is enacted to read:	
28	7-1-619. Savings promotion programs.	
29	(1) As used in this section:	

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30	(a) "Prize period" means a period of time, designated by a depository institution, during
31	which a qualifying account holder may submit an entry into the depository institution's savings
32	promotion program for a chance to win a prize designated as the prize for that period.
33	(b) "Qualifying account" means a savings account that qualifies the savings account
34	holder for an entry into the saving account's depository institution's savings promotion program
35	each time the holder of the savings account:
36	(i) deposits a minimum amount of money specified by the depository institution into
37	the savings account; and
38	(ii) leaves the minimum deposit in the savings account for no less than an amount of
39	time specified by the depository institution.
40	(c) "Qualifying account holder" means a person who holds a qualifying account.
41	(d) "Savings promotion program" means a contest:
42	(i) that a depository institution conducts to encourage savings deposits; and
43	(ii) in which a qualifying account holder is offered a chance to win a designated prize
44	for each entry submitted in association with the qualifying account holder's qualifying account.
45	(2) A depository institution may conduct a savings promotion program if:
46	(a) no qualifying account holder is required to:
47	(i) pay a fee or otherwise provide any consideration to submit an entry in the savings
48	promotion program; or
49	(ii) be present at a prize drawing in order to win;
50	(b) any fee charged by a depository institution in connection with a qualifying account
51	is comparable with a fee charged in connection with a comparable nonqualifying account the
52	depository institution offers;
53	(c) any interest rate a depository institution associates with a qualifying account is
54	comparable to an interest rate associated with a comparable nonqualifying account the
55	depository institution offers;
56	(d) each entry in the savings promotion program during a single prize period has an
57	equal chance of winning; and

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(e) the depository institution:	

58	(e) the depository institution:
59	(i) conducts the savings promotion program in a manner that does not:
50	(A) jeopardize the depository institution's ability to operate in a safe and sound
51	manner; or
52	(B) mislead the depository institution's account holders; and
63	(ii) fully discloses the terms and conditions of the savings promotion program to each
54	of the depository institution's account holders.
65	(3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
66	commissioner may make rules that:
67	(a) require a depository institution that conducts a savings promotion program to
68	maintain all records the commissioner determines necessary for the administration and
59	enforcement of this section; or
70	(b) ensure that a depository institution conducts a savings promotion program in
71	accordance with this section