

28 (3) In addition to any other liability under this title, a person that violates Subsection (2):
29 (a) shall return to the customer:
30 (i) any monies transferred in violation of Subsection (2); and
31 (ii) any penalties imposed on the customer as a result of the unauthorized electronic
32 transaction; and
33 (b) is liable to the customer of the account from which the monies are transferred for an
34 amount equal to the sum of:
35 (i) the greater of:
36 (A) \$200; and
37 (B) three times the amount requested to be transferred by the unauthorized electronic
38 transaction;
39 (ii) attorney fees; and
40 (iii) court costs.
41 (4) To collect an amount that a customer is owed under Subsection (3), the customer may
42 file a civil action in any court of competent jurisdiction.

Legislative Review Note
as of 1-22-02 10:01 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel