

THIS ACTION WITHIN THE TIME THAT THE DEPOSITORY BANK OTHERWISE WOULD BE REQUIRED UNDER THE REGULATIONS ADOPTED UNDER THIS SUBTITLE TO MAKE FUNDS AVAILABLE TO THE CUSTOMER;

(4) A DEPOSITORY BANK MAY FIND THAT THE COLLECTIBILITY OF AN ITEM IS DOUBTFUL, IF:

(I) THE DEPOSITORY BANK HAS REASON TO BELIEVE THAT THE MAKER, DRAWER, OR PAYOR OF THE ITEM IS INSOLVENT;

(II) THE ITEM CONTAINS AN INFIRMITY ON ITS FACE, INCLUDING A FORGERY, AN ALTERATION, OR FALSE OR FRAUDULENT INDICATION OF THE DRAWER'S, MAKER'S, OR PAYOR'S NAME OR ROUTING NUMBER; OR

(III) THE MANNER OF PRESENTMENT OF THE ITEM RAISES A REASONABLE SUSPICION OF FRAUD;

(5) FOR ANY ITEM IN EXCESS OF \$2,500 DEPOSITED BY A CUSTOMER IN ONE 1 BUSINESS DAY, THE AVAILABILITY OF FUNDS FOR THE ITEM SHALL BE DETERMINED ACCORDING TO THE BANKING INSTITUTION'S POLICY, OR IF THE CUSTOMER ELECTS, ON A COLLECTION BASIS;

(6) FOR ANY ITEM DEPOSITED BY A NEW CUSTOMER AT A DEPOSITORY BANK, THE AVAILABILITY OF FUNDS FOR ANY ITEM DEPOSITED WITHIN 90 CALENDAR DAYS OF THE OPENING OF AN ACCOUNT BY THE CUSTOMER SHALL BE SUBJECT TO THE BANKING INSTITUTION'S POLICY;

(7) EXCEPT FOR ACCOUNTS WITH OVERDRAFT PROTECTION IN WHICH THE CUSTOMER'S CREDIT LINE HAS NOT BEEN EXCEEDED, IF ANY ACCOUNT OR COMBINATION OF ACCOUNTS OF A CUSTOMER HAS BEEN OVERDRAWN HAD ITEMS-AN ITEM RETURNED ON 3 SEPARATE OCCASIONS BUSINESS DAYS WITHIN A 6-MONTH PERIOD, ALL ACCOUNTS OF THAT CUSTOMER SHALL BE SUBJECT TO THE BANKING INSTITUTION'S POLICY FOR A PERIOD OF 6 MONTHS AFTER THE THIRD 3RD RETURN FOR INSUFFICIENT FUNDS.

(C) THE BANK COMMISSIONER MAY GATHER FROM BANKING INSTITUTIONS IN THE STATE ANY INFORMATION REQUIRED BY THE BANK COMMISSIONER FOR THE ADOPTION OF REGULATIONS UNDER THIS SECTION.

~~(D) -- THE -- REGULATIONS -- ADOPTED -- UNDER -- THIS -- SECTION -- SHALL REQUIRE EACH BANKING INSTITUTION TO:~~

~~(1) -- NOTIFY EACH OF ITS BANKING CUSTOMERS -- IN -- WRITING OF -- THE -- APPLICABLE TIME LIMITATIONS AND THE BANKING INSTITUTION'S POLICY ON THE RIGHT TO DRAW ON ITEMS RECEIVED FOR DEPOSIT IN THE CUSTOMER'S ACCOUNT; AND~~

~~(2) -- KEEP -- POSTED -- IN -- A CONSPICUOUS LOCATION, AT EACH BRANCH OF THE BANKING INSTITUTION, A -- NOTICE -- THAT -- SUBSTANTIALLY SETS -- FORTH -- THE -- GENERALLY -- APPLICABLE -- TIME LIMITATIONS AND THE~~