

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

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

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

(C) THE BANK COMMISSIONER MAY GATHER FROM CREDIT UNIONS 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 CREDIT UNION TO:~~

~~(1) -- NOTIFY -- EACH -- OF -- THE -- CUSTOMERS -- OF -- THE -- CREDIT -- UNION IN WRITING -- OF -- THE -- APPLICABLE -- TIME -- LIMITATIONS -- AND -- THE -- CREDIT UNION'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 -- CREDIT -- UNION, -- A -- NOTICE -- THAT -- SUBSTANTIALLY -- SETS FORTH -- THE -- GENERALLY -- APPLICABLE -- TIME -- LIMITATIONS -- AND -- THE -- CREDIT UNION'S -- POLICY -- ON -- THE -- RIGHTS -- OF -- A -- CUSTOMER -- OF -- A -- CREDIT -- UNION -- TO DRAW -- ON -- ITEMS -- DEPOSITED -- TO -- THE -- CUSTOMER'S -- ACCOUNT.~~

~~(E) (D) THE REGULATIONS ADOPTED UNDER THIS SECTION DO NOT APPLY TO FOREIGN ITEMS.~~

~~(F) (E) THE BANK COMMISSIONER MAY ADOPT, ON A DETERMINATION BY THE BANK COMMISSIONER THAT THE UNIFORM APPLICATION OF A REGULATION ADOPTED UNDER THIS SECTION RESULTS IN UNSOUND OR UNSAFE PRACTICES, ANY FURTHER REGULATION THE BANK COMMISSIONER CONSIDERS APPROPRIATE ADDITIONAL RULES AND REGULATIONS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.~~

6-4A-04.

(A) EXCEPT AS PROVIDED UNDER SUBSECTION (B) OF THIS SECTION, ANY PROVISION IN AN AGREEMENT BETWEEN A CREDIT UNION AND