

(b) The Bank Commissioner shall adopt regulations that provide:

(1) For purposes of calculating the number of business days by which a depository bank is required to make funds available for withdrawal by the customer, the term "business day" excludes the day of deposit, and if the deposit is made on a Saturday, Sunday, legal holiday, or after the close of business, the term "business day" excludes the 1st business day after the day of deposit, where:

(i) A legal holiday is a holiday on which the depository bank is closed; and

(ii) The close of business for a depository bank is the closing time of the branch office where the deposit is made, as determined by the depository bank, and for an electronic banking facility, the close of business is the closing time of the nearest branch office of the depository bank;

(2) If a depository bank does not collect items directly through a clearinghouse, federal reserve, or other collection system and uses another financial institution to collect on items, the depository bank shall have an additional business day within which to make funds available to a customer;

(3) When a depository bank finds that the collectibility of an item is doubtful, the depository bank may make funds available for the item on a collection basis if the depository bank notifies the customer orally or in writing of 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 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;