



INDIANA COMMUNITY ACTION POVERTY INSTITUTE

Research and Public Policy

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Indiana Community Action Poverty Institute Expresses Disappointment in Passage of Anti-Consumer Bills

Indianapolis, IN - Any Hoosier who has a checking or savings account should be concerned about two bills making their way through the Indiana General Assembly.

Despite bipartisan opposition, SB 188 passed the senate 35-14. This bill limits both the timeframe Hoosiers have to hold their bank or credit union accountable for issues like [unfair overdraft fees](#) and the amount they can recover. This vote flies in the face of the [overwhelming majority \(95%\) of people](#) who want the ability to resolve banking disputes in court. Notably, the General Assembly just [reduced the statute of limitations on deposit accounts from 10 years to 6 years](#) in 2021, and this changes that statute of limitations to two years.

In the House, legislators passed HB 1284 which overrides two recent Indiana Supreme Court cases - [Decker v. Star](#) and [Land v. IU Credit Union](#) - that favored consumers. These cases barred financial institutions from avoiding lawsuits over unfair overdraft fees by slipping arbitration clauses into monthly statements. In one case, the bank put the notice of an arbitration clause on page 13 of a consumer's monthly e-statement and gave them ten days to close their account to preserve their right to go to court. Now, the Indiana General Assembly is giving financial institutions the power to make substantial changes or additions by simply sending a written notice and interpreting a consumer's "failure" to close their account as evidence that they accept the change.

"It's profoundly disappointing to see these two anti-consumer bills pass their respective chambers - especially when Indiana already has already [received poor marks on consumer protections](#). While these two bills have flown under the radar, they have not become law yet; there is still time for Hoosiers to raise their voices and protest," said Erin Macey, Director of the Indiana Community Action Poverty Institute.

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About Indiana Community Action Poverty Institute

The Indiana Community Action Poverty Institute promotes public policies to help Hoosier families achieve financial well-being. We value, gather, and translate quantitative and qualitative data to communicate the opportunities and challenges that Hoosiers experience. We advance well-being by promoting evidence-based solutions and building coalitions to engage in direct and strategic conversations with policymakers and the public.

