

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2587

(Reference to printed bill)

1 Page 5, line 9, strike "~~CONTRACTOR'S~~" insert "~~NETWORK'S~~"

2 Page 6, line 2, strike "~~NOT MORE THAN TWO AUTHORIZED AGENTS~~" insert "~~AN AUTHORIZED~~  
3 ~~AGENT~~"

4 Between lines 13 and 14, insert:

5 "Sec. 3. Heading change

6 The article heading of title 35, chapter 2, article 7, Arizona Revised  
7 Statutes, is changed from "~~CREDIT CARD PAYMENTS BY GOVERNMENTAL ENTITIES~~" to  
8 "~~CREDIT CARD TRANSACTIONS~~".

9 Sec. 4. Title 35, chapter 2, article 7, Arizona Revised Statutes, is  
10 amended by adding section 35-391.01, to read:

11 35-391.01. Acceptance of credit cards; fees; definitions

12 A. ~~ON A MAJORITY VOTE OF THE GOVERNING BODY, A LOCAL GOVERNMENT MAY~~  
13 ~~ACCEPT CREDIT CARDS FOR THE PAYMENT OF ANY AMOUNT DUE TO THE LOCAL~~  
14 ~~GOVERNMENT.~~

15 B. ~~A LOCAL GOVERNMENT THAT ACCEPTS CREDIT CARDS MAY ENTER INTO AN~~  
16 ~~AGREEMENT WITH ONE OR MORE FINANCIAL INSTITUTIONS OR OTHER SERVICE PROVIDERS~~  
17 ~~FOR PROCESSING OF CREDIT CARDS. THE AGREEMENT SHALL PROVIDE FOR THE FEES~~  
18 ~~CHARGED AND THE MEANS BY WHICH THE FEES SHALL BE PAID. A LOCAL GOVERNMENT~~  
19 ~~MAY ALSO USE THE CONTRACT OR CONTRACTS THAT THE STATE TREASURER HAS~~  
20 ~~NEGOTIATED FOR ELECTRONIC PROCESSING OF TRANSACTIONS PURSUANT TO SECTION~~  
21 ~~35-315 ON WRITTEN NOTICE TO THE STATE TREASURER.~~

22 C. ~~A LOCAL GOVERNMENT THAT ACCEPTS CREDIT CARDS MAY NOT RECEIVE AND~~  
23 ~~RETAIN, DIRECTLY OR INDIRECTLY, ANY CONVENIENCE FEE, SURCHARGE OR OTHER FEE~~  
24 ~~IN EXCESS OF THE PAYMENT FOR THE AMOUNT DUE TO THE LOCAL GOVERNMENT. A~~  
25 ~~FINANCIAL INSTITUTION OR SERVICE PROVIDER MAY NOT PAY, REFUND, REBATE OR~~  
26 ~~RETURN, DIRECTLY OR INDIRECTLY, TO A LOCAL GOVERNMENT FOR FINAL RETENTION ANY~~  
27 ~~PORTION OF A CONVENIENCE FEE, SURCHARGE OR OTHER FEE PAID IN CONNECTION WITH~~  
28 ~~A CREDIT CARD TRANSACTION.~~

1           D. NOTWITHSTANDING SUBSECTION C OF THIS SECTION, A LOCAL GOVERNMENT  
2           THAT ACCEPTS CREDIT CARDS MAY CHARGE A CONVENIENCE FEE OR SURCHARGE ON THE  
3           CARDHOLDER MAKING A PAYMENT BY CREDIT CARD IN AN AMOUNT TO WHOLLY OR  
4           PARTIALLY OFFSET, BUT NOT EXCEED, THE AMOUNT OF ANY DISCOUNT OR PROCESSING  
5           FEE INCURRED BY THE LOCAL GOVERNMENT. THE CONVENIENCE FEE OR SURCHARGE IS  
6           NONREFUNDABLE.

7           E. FOR THE PURPOSES OF THIS SECTION:

8           1. "CREDIT CARD" HAS THE SAME MEANING PRESCRIBED IN SECTION 35-101.

9           2. "LOCAL GOVERNMENT" MEANS A CITY, TOWN, COUNTY OR COMMUNITY  
10          COLLEGE."

11 Renumber to conform

12 Page 6, line 18, strike "two contracts to two" insert "a contract to one or more"

13 Amend title to conform

BOB THORPE

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