

SENATE BILL No. 221

By Committee on Judiciary

2-12

1 AN ACT concerning credit and debit transactions; relating to surcharges;
2 amending K.S.A. 72-8245 and K.S.A. 2014 Supp. 12-16,125, 19-122
3 and 75-30,100 and repealing the existing sections; also repealing
4 K.S.A. 2014 Supp. 16a-2-403.
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2014 Supp. 12-16,125 is hereby amended to read as
8 follows: 12-16,125. A city may accept credit or debit cards for the payment
9 of taxes, utility fees or other exactions. The city may establish the type of
10 credit or debit card the city will accept. The city may set a fee to be added
11 to each credit card transaction equal to the charge paid by the city for the
12 use of the credit card by the person. If the city imposes a fee for payments
13 made by credit card, the city shall provide notice of such fee to the person
14 making payment by credit card.

15 ~~Any transaction involving payment by credit card pursuant to this~~
16 ~~section shall not be subject to the provisions of K.S.A. 16a-2-403, and~~
17 ~~amendments thereto.~~

18 Sec. 2. K.S.A. 2014 Supp. 19-122 is hereby amended to read as
19 follows: 19-122. (a) Any county may accept credit or debit cards for the
20 payment of any taxes, utility fees or other exactions. The county may
21 establish the type of credit or debit card the county will accept. The county
22 may set a fee to be added to each credit card transaction equal to the
23 charge paid by the county for the use of the credit card by the person. If
24 the county imposes a fee for payments made by credit card, the county
25 shall provide notice of such fee to the person making payment by credit
26 card.

27 ~~(b) Any transaction involving payment by credit card pursuant to this~~
28 ~~section shall not be subject to the provisions of K.S.A. 16a-2-403, and~~
29 ~~amendments thereto.~~

30 Sec. 3. K.S.A. 72-8245 is hereby amended to read as follows: 72-
31 8245. The board of education of any school district, pursuant to a policy
32 developed and adopted by the board, may provide for the acceptance of
33 payment in the form of a credit or debit card of fees, tuition or other
34 charges imposed by the school district. The policy may provide for
35 imposition of an additional fee to recover the actual amount of any costs
36 incurred by the school district by reason of the method of payment used.

1 The policy also may provide for establishment by the school district of
2 secure internet sockets that will allow payment by a credit or debit card via
3 the internet. ~~Any transactions involving payment by credit card pursuant to
4 this section shall not be subject to the provisions of K.S.A. 16a-2-403, and
5 amendments thereto.~~

6 Sec. 4. K.S.A. 2014 Supp. 75-30,100 is hereby amended to read as
7 follows: 75-30,100. (a) Any state agency which imposes or collects fees,
8 tuition or other charges shall accept payment thereof in the form of a
9 personal, certified or cashier's check or money order. A state agency may
10 accept payment by credit card, debit card or other method designated by
11 the agency. A state agency may impose an additional fee to recover the
12 actual amount of any cost incurred by reason of the method of payment
13 used by the payee.

14 (b) In addition to the methods specified in subsection (a), after June
15 30, 2001, a state agency shall accept payment of fees, tuition or other
16 charges in the form of a credit card or debit card.

17 ~~(c) Any transactions involving payment by credit card or debit card
18 pursuant to this section shall not be subject to the provisions of K.S.A.
19 16a-2-403, and amendments thereto.~~

20 ~~(d)~~ (c) The provisions of this section shall not apply to any fees, fines
21 or charges imposed by the secretary of corrections or the commissioner of
22 juvenile justice on offenders under the jurisdiction of the secretary of
23 corrections or juvenile offenders placed in juvenile correctional facilities
24 under the jurisdiction of the commissioner of juvenile justice.

25 ~~(e) Any municipal university, community college, technical college,
26 or vocational educational school, having the meanings respectively
27 ascribed thereto by K.S.A. 74-3201b, and amendments thereto, accepting
28 payment of fees, tuition or other charges in the form of a credit card or
29 debit card shall not be subject to the provisions of K.S.A. 16a-2-403, and
30 amendments thereto.~~

31 Sec. 5. K.S.A. 72-8245 and K.S.A. 2014 Supp. 12-16,125, 16a-2-403,
32 19-122 and 75-30,100 are hereby repealed.

33 Sec. 6. This act shall take effect and be in force from and after its
34 publication in the statute book.