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SENATE BILL 77

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

Pete Campos

AN ACT

RELATING TO TRANSACTION FEES; ALLOWING STATE AGENCIES AND LOCAL GOVERNING BODIES TO CHARGE A FEE TO COVER THE COST OF PROCESSING A CREDIT CARD OR ELECTRONIC TRANSFER TRANSACTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 6-10-1.2 NMSA 1978 (being Laws 1999, Chapter 176, Section 1, as amended) is amended to read:

"6-10-1.2. PAYMENT METHODS AUTHORIZED--FEE.--

A. A state agency or local governing body may accept payment by credit card or electronic means of any amount due under any law or program administered by the agency or local governing body. The state board of finance shall adopt rules on the terms and conditions of a state agency accepting payments by credit card or electronic transfer. The local governing body shall adopt procedures, subject to the approval

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1 of the department [~~of finance and administration~~], on the terms
2 and conditions of accepting payments by credit card or
3 electronic transfer.

4 B. A state agency or local governing body may
5 charge a convenience fee to cover the cost of processing a
6 credit card or electronic transfer transaction. The fee shall
7 be charged to the person using a credit card or electronic
8 transfer. Amounts collected pursuant to this subsection are
9 appropriated to the state agency or local governing body to
10 defray the cost of processing the transaction."