

ACT No. 403

2016 Regular Session

HOUSE BILL NO. 1042

BY REPRESENTATIVE BAGLEY

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AN ACT

To amend and reenact R.S. 33:2933(A)(1), (D), and (E) and to enact R.S. 33:2933(A)(3), relative to electronic payments; to authorize certain local and private entities to accept electronic payments for local charges; to authorize such entities to assess a fee for processing such payments; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:2933(A)(1), (D), and (E) are hereby amended and reenacted and R.S. 33:2933(A)(3) is hereby enacted to read as follows:

§2933. Payments by approved credit and debit cards; authorizations; contracts; fees

A. As used in this Section:

(1) "Local entity" means any parish, municipality, or other political subdivision of the state created by law. The term also means clerks of court, sheriffs, district attorneys, and assessors.

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(3) "Third party solution" means a company that provides a software application, a gateway, or both, to capture credit card and other forms of electronic payments for processing by a merchant services acquirer.

* * *

D. A local entity exercising the authority granted by this Section shall designate the credit cards, debit cards, or similar payment devices that it will accept to receive payment of any local charges. It shall from time to time, but at least annually, publish a list of approved credit and debit cards by which any unit of the

1 local entity may accept payment of any local charge the local entity may collect. A
 2 local entity may negotiate and enter into all contracts, for periods not to exceed five
 3 years, with providers of such cards or devices, including master or statewide
 4 financial providers, third party processors, third party solutions, or providers for
 5 ~~Internet~~ internet and other similar use and payment acceptance using such cards or
 6 devices.

7 E.(1) A local entity exercising the authority granted by this Section shall
 8 establish procedures and guidelines for the approval and operation of any cards or
 9 devices, and fix applicable processing fees, pursuant to this Section.

10 (2) A third party solution may establish and assess a fee for processing a
 11 local charge. The fee shall be paid to the third party solution by the payor and shall
 12 not be considered a local charge as provided in this Section. The amount of the fee
 13 shall be disclosed to the payor before the transaction is completed.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____