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SENATE BILL 132

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Pete Campos

ENDORSED BY THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

AN ACT

RELATING TO TRANSACTION FEES; ALLOWING STATE AGENCIES AND LOCAL GOVERNING BODIES TO CHARGE A UNIFORM FEE TO PERSONS MAKING PAYMENTS BY CREDIT CARD OR ELECTRONIC TRANSFER.

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, on the terms and conditions of accepting
2 payments by credit card or electronic transfer.

3 B. A state agency or local governing body may
4 charge a uniform convenience fee to cover the ~~[exact]~~ fees
5 imposed by the financial institution for the cost of processing
6 a credit card or electronic transfer transaction. The fee
7 shall be charged to the person using a credit card or
8 electronic transfer. Amounts collected pursuant to this
9 subsection are appropriated to the state agency or local
10 governing body to defray the cost of processing the
11 transaction."