

HOUSE BILL 1544

By McCormick

AN ACT to amend Tennessee Code Annotated, Title 4,
Chapter 3, Part 10, relative to management of the
state's portal.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 10, is amended by adding the following language as a new section:

4-3-1022.

(a) The commissioner of finance and administration shall have the responsibility for the overall management of the state's portal, which shall include the following:

(1) The commissioner may authorize the assessment of additional charges on e-commerce payment activity to recover the costs of delivering e-commerce services, accepting electronic payments online, or both and shall be responsible for the development and administration of the policy guidelines governing such charges. The guidelines shall be consistent with federal laws and regulations governing electronic payment transactions. Such additional charges shall only be assessed when an optional method of payment is available. In no event shall such charges exceed the actual costs incurred to deliver e-commerce services and accept electronic payments online; and

(2) The review of the chief information officer's annual report concerning the operation of the state's portal.

(b) No person making a payment to the department by credit card, debit card, or other similar financial transaction card shall be relieved from liability for the underlying obligation, except to the extent that the department realizes final payment of the

underlying obligation in cash or the equivalent. If final payment is not made by the card issuer or other guarantor of payment, then the underlying obligation shall survive, and the department shall retain all remedies for enforcement that would have applied if the transaction had not occurred.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.