

SENATE BILL 169

By Norris

AN ACT to amend Tennessee Code Annotated, Title 45, Chapter 1, relative to methods for making payments to the department of financial institutions.

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

SECTION 1. Tennessee Code Annotated, Section 45-1-107, is amended by adding the following as a new, appropriately designated subsection:

(i)

(1) The commissioner may accept payments to the department by credit card, debit card, electronic funds transfer, electronic check or other electronic means. The commissioner may adopt reasonable policies and rules governing the manner of acceptance of such payments.

(2) The commissioner may enter into appropriate agreements with card issuers or other appropriate parties as needed to facilitate the acceptance of payments authorized under this subsection. The commissioner may impose and collect a convenience fee from any person making payment by credit card, debit card, electronic funds transfer, electronic check or other electronic means in order to offset the actual administrative fees and costs incurred by the department for accepting and/or processing such payments. Notwithstanding any provision of law to the contrary, the convenience fee shall be charged in addition to all other fees, penalties, taxes and costs required by law.

(3) The commissioner also may enter into appropriate agreements with third party service providers for the acceptance and processing of payments made by credit card, debit card, electronic funds transfer, electronic check or

other electronic means. Such agreements may authorize third party service providers to impose and collect a convenience fee from persons making such payments.

(4) When a person elects to make a payment to the department by credit card, debit card, electronic funds transfer, electronic check or other electronic means and a convenience fee is imposed and collected as authorized by this subsection, the payment of the convenience fee shall be deemed voluntary and shall not be refundable.

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