

HOUSE BILL NO. HB0099

Credit card transaction fees.

Sponsored by: Representative(s) Zwonitzer, Dv. and  
Senator(s) Peterson

A BILL

for

1 AN ACT relating to consumer protection; establishing  
2 maximum rates for credit card transaction fees; providing  
3 exemptions; providing definitions; providing a penalty; and  
4 providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 40-25-101 through 40-25-103 are  
9 created to read:

10

11

CHAPTER 25

12

CREDIT CARD TRANSACTION FEES

13

14

**40-25-101. Definitions.**

15

1           (a) As used in this chapter, unless the context  
2 otherwise requires:

3

4           (i) "Card issuer" or "issuer" means a person  
5 doing business in Wyoming that issues a credit card or  
6 debit card, or that person's agent or assignee related to  
7 the credit card;

8

9           (ii) "Card transaction" or "transaction" means a  
10 cash advance, purchase or other extension of credit  
11 effected or obtained through the use of a credit card or  
12 account number;

13

14           (iii) "Credit card" or "card" means any card,  
15 plate, coupon book or other credit device that is issued  
16 primarily for consumer credit purposes and that may be used  
17 to obtain credit including, without limitation, a card that  
18 may be used to effect transactions governed by chapter 14  
19 of this title;

20

21           (iv) "Debit card" means any instrument, writing  
22 or other evidence known by any name issued with or without  
23 fee by an issuer for the use of a depositor in obtaining  
24 money, goods, services or anything else of value, payment

1 of which is made against funds previously deposited in an  
2 account with the issuer;

3

4 (v) "Retail merchant" means a business with at  
5 least eighty percent (80%) of its credit card transactions  
6 conducted through a credit card terminal.

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8 **40-25-102. Limitation on transaction fees.**

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10 (a) Except as otherwise provided in W.S. 40-25-103,  
11 no card issuer shall charge a retail merchant more than one  
12 and seventy-five hundredths of one percent (1.75%) per  
13 transaction involving the use of a credit or debit card;

14

15 (b) A violation of subsection (a) of this section  
16 shall be deemed an unfair and deceptive act under W.S.  
17 40-12-105.

18

19 **40-25-103. Applicability.**

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21 The provisions of this chapter shall not be construed to  
22 impair any contract between a credit card issuer and a  
23 retail merchant which was entered into prior to July 1,  
24 2012. The provisions of this chapter shall apply only to

1 new contracts between a credit card issuer and a retail  
2 merchant entered into on or after July 1, 2012.

3

4 **Section 2.** W.S. 40-12-105(a) by creating a new  
5 paragraph (xvi) is amended to read:

6

7 **40-12-105. Unlawful practices.**

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9 (a) A person engages in a deceptive trade practice  
10 unlawful under this act when, in the course of his business  
11 and in connection with a consumer transaction, he  
12 knowingly:

13

14 (xvi) Violates W.S. 40-25-102(a).

15

16 **Section 3.** This act is effective July 1, 2012.

17

18

(END)