

By the Committee on Utilities & Communications and  
 Representative Rojas

1                                   A bill to be entitled  
 2           An act relating to financial matters; amending  
 3           s. 215.322, F.S.; revising legislative intent;  
 4           specifying circumstances under which  
 5           governmental agencies or the judicial branch  
 6           may accept credit cards, charge cards, or debit  
 7           cards; prescribing duties of the State  
 8           Technology Office; removing a limitation on  
 9           convenience fees; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Subsections (1), (2), and (3) of section  
 14 215.322, Florida Statutes, are amended to read:

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16           215.322 Acceptance of credit cards, charge cards, or  
 17 debit cards by state agencies, units of local government, and  
 the judicial branch.--

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19           (1) It is the intent of the Legislature to encourage  
 20 state agencies, the judicial branch and units of local  
 21 government to make their goods, services, and information more  
 22 convenient to the public through the ~~and to reduce the~~  
 23 ~~administrative costs of government by~~ acceptance of payments  
 24 by credit cards, charge cards, and debit cards to the maximum  
 25 extent practicable when the benefits to the participating  
 26 agency and the public substantiate the cost of accepting these  
types of payments.

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28           (2) A state agency as defined in s. 216.011, or the  
 29 judicial branch, may accept credit cards, charge cards, or  
 30 debit cards in payment for goods and services ~~upon the~~  
 31 ~~recommendation of the Office of Planning and Budgeting and~~  
 with the prior approval of the Treasurer. When the Internet or

1 other related electronic methods are to be used as the  
2 collection medium, the State Technology Office shall review  
3 and recommend to the Treasurer whether to approve the request  
4 with regard to the process or procedure to be used.

5 (3) The Treasurer shall adopt rules governing the  
6 establishment and acceptance of credit cards, charge cards, or  
7 debit cards by state agencies or the judicial branch,  
8 including, but not limited to, the following:

9 (a) Utilization of a standardized contract between the  
10 financial institution or other appropriate intermediaries and  
11 the agency or judicial branch which shall be developed by the  
12 Treasurer or approval by the Treasurer of a substitute  
13 agreement.

14 (b) Procedures which permit an agency or officer  
15 accepting payment by credit card, charge card, or debit card  
16 to impose a convenience fee upon the person making the  
17 payment. However, the total amount of such convenience fees  
18 shall not exceed the total cost to the state agency of  
19 ~~contracting for such card services~~. A convenience fee is not  
20 refundable to the payor. Notwithstanding the foregoing, this  
21 section shall not be construed to permit surcharges on any  
22 other credit card purchase in violation of s. 501.0117.

23 (c) All service fees payable pursuant to this section  
24 when practicable shall be invoiced and paid by state warrant  
25 or such other manner that is satisfactory to the Comptroller  
26 in accordance with the time periods specified in s. 215.422.

27 (d) Submission of information to the Treasurer  
28 concerning the acceptance of credit cards, charge cards, or  
29 debit cards by all state agencies or the judicial branch.

30 (e) A methodology for agencies to use when completing  
31 the cost-benefit analysis referred to in subsection (1). The

1 methodology must consider all quantifiable cost reductions,  
2 other benefits to the agency, and potential impact on general  
3 revenue. The methodology must also consider nonquantifiable  
4 benefits such as the convenience to individuals and businesses  
5 that would benefit from the ability to pay for state goods and  
6 services through the use of credit cards, charge cards, and  
7 debit cards.

8 Section 2. This act shall take effect October 1, 2000.

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11 HOUSE SUMMARY

12 Specifies circumstances under which governmental agencies  
13 or the judicial branch may accept credit cards, charge  
14 cards, or debit cards. Prescribes duties of the State  
15 Technology Office. Removes a limitation on convenience  
16 fees. See bill for details.  
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