

By Senator Latvala

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A bill to be entitled

An act relating to financial matters; amending s. 215.322, F.S.; providing intent; specifying circumstances under which governmental agencies or the judicial branch may accept credit cards, charge cards, or debit cards; prescribing duties of the State Technology Office; removing a limitation on convenience fees; providing an effective date.

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

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

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

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

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

1 other electronic methods are to be used as the collection
2 medium, the State Technology Office shall review and recommend
3 to the Treasurer whether to approve the request.

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

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

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

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

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

29 (e) A methodology for agencies to use when completing
30 the cost-benefit analysis referred to in subsection (1). The
31 methodology must consider all quantifiable cost reductions,

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

7 Section 2. This act shall take effect upon becoming a
8 law.

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SENATE SUMMARY

Revises provisions governing the acceptance by
governmental agencies and the judicial branch of credit
cards, charge cards, or debit cards for goods and
services. Removes a limitation on convenience fees.