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LEGISLATIVE ACTION

Senate

House

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Floor: WD/2R

04/28/2010 07:36 PM

Senator Baker moved the following:

Senate Amendment (with title amendment)

Delete lines 23 - 51

and insert:

501.0117 Credit cards; transactions in which seller or lessor prohibited from imposing surcharge; penalty.-

(1) A seller or lessor in a sales or lease transaction may not impose a surcharge on the buyer or lessee for electing to use a credit card in lieu of payment by cash, check, or similar means, if the seller or lessor accepts payment by credit card. A surcharge is any additional amount imposed at the time of a sale or lease transaction by the seller or lessor that increases the



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14 charge to the buyer or lessee for the privilege of using a
15 credit card to make payment. Charges imposed pursuant to
16 approved state or federal tariffs are not considered to be a
17 surcharge, and charges made under such tariffs are exempt from
18 this section. The term "credit card" includes those cards for
19 which unpaid balances are payable on demand and, for purposes of
20 this section, the term also includes any prepaid device that
21 contains government benefit program funds, including, but not
22 limited to, social security, unemployment benefits, and the
23 Special Supplemental Nutrition Program for Women, Infants, and
24 Children. This section does not apply to the offering of a
25 discount for the purpose of inducing payment by cash, check, or
26 other means not involving the use of a credit card, if the
27 discount is offered to all prospective customers.

28
29 ===== T I T L E A M E N D M E N T =====

30 And the title is amended as follows:

31
32 Delete lines 3 - 8
33 and insert:

34
35 s. 501.0117, F.S.; defining the term "credit card,"
36 for purposes of a prohibition against certain
37 surcharges, to include any government-issued card that
38 represents a government prepaid electronic benefits
39 transfer; providing penalties; amending s. 817.60,
40 F.S.;