

1 A bill to be entitled
 2 An act relating to credit card surcharges; repealing
 3 s. 501.0117, F.S., relating to the prohibition on the
 4 imposition of credit card surcharges in sale or lease
 5 transactions and the associated penalties for
 6 violations; amending ss. 215.322 and 560.208, F.S.;
 7 conforming provisions to changes made by the act;
 8 providing an effective date.

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

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 12 Section 1. Section 501.0117, Florida Statutes, is
 13 repealed.

14 Section 2. Paragraph (b) of subsection (3) of section
 15 215.322, Florida Statutes, is amended to read:

16 215.322 Acceptance of credit cards, charge cards, debit
 17 cards, or electronic funds transfers by state agencies, units of
 18 local government, and the judicial branch.—

19 (3) The Chief Financial Officer shall adopt rules
 20 governing the establishment and acceptance of credit cards,
 21 charge cards, debit cards, or electronic funds transfers by
 22 state agencies or the judicial branch, including, but not
 23 limited to, the following:

24 (b) Procedures that permit an agency or officer accepting
 25 payment by credit card, charge card, debit card, or electronic
 26 funds transfer to impose a convenience fee upon the person
 27 making the payment. However, the total amount of such
 28 convenience fees may not exceed the total cost to the state

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29 agency. A convenience fee is not refundable to the payor.
30 ~~However, this section does not permit the imposition of~~
31 ~~surcharges on any other credit card purchase in violation of s.~~
32 ~~501.0117.~~

33 Section 3. Subsection (2) of section 560.208, Florida
34 Statutes, is amended to read:

35 560.208 Conduct of business.—In addition to the
36 requirements specified in s. 560.1401, a licensee under this
37 part:

38 (2) ~~Notwithstanding and without violating s. 501.0117,~~ May
39 charge a different price for a money transmitter service based
40 on the mode of transmission used in the transaction as long as
41 the price charged for a service paid for with a credit card is
42 not more than the price charged when the service is paid for
43 with currency or other similar means accepted within the same
44 mode of transmission.

45 Section 4. This act shall take effect July 1, 2012.