

Substitute for HOUSE BILL NO. 2726

By Committee on Government Efficiency

AN ACT concerning credit cards; relating to certain fees and surcharges; amending K.S.A. 79-2973 and K.S.A. 2011 Supp. 75-30,100 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2011 Supp. 75-30,100 is hereby amended to read as follows: 75-30,100. (a) (1) Any state agency which imposes or collects fees, tuition or other charges shall accept payment thereof in the form of a personal, certified or cashier's check or money order. A state agency may accept payment by credit card, debit card or other method designated by the agency.

(2) Prior to July 1, 2014, a state agency may impose an additional fee to recover the actual amount of any cost incurred by reason of the method of payment used by the payee.

(3) On and after July 1, 2014, payment accepted by credit card, debit card or other electronic means by any state agency for such fees, tuition or other charges shall not be greater than payments made in the form of a personal, certified or cashier's check or money order.

(b) In addition to the methods specified in subsection (a), after June 30, 2001, a state agency shall accept payment of fees, tuition or other charges in the form of a credit card or debit card.

(c) Prior to July 1, 2014, any transactions involving payment by credit card or debit card pursuant to this section shall not be subject to the provisions of K.S.A. 16a-2-403, and amendments thereto.

(d) On and after July 1, 2014, transactions involving payment by credit card or debit card pursuant to this section shall be subject to the provisions of K.S.A. 16a-2-403, and amendments thereto.

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Date: 2-20-2012
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(e) The provisions of this section shall not apply to any fees, fines or charges imposed by the secretary of corrections or the commissioner of juvenile justice on offenders under the jurisdiction of the secretary of corrections or juvenile offenders placed in juvenile correctional facilities under the jurisdiction of the commissioner of juvenile justice.

~~(e) (f) Prior to July 1, 2014, any municipal university, community college, technical college, or vocational educational school, having the meanings respectively ascribed thereto by K.S.A. 74-3201b, and amendments thereto, accepting payment of fees, tuition or other charges in the form of a credit card or debit card shall not be subject to the provisions of K.S.A. 16a-2-403, and amendments thereto.~~

(g) On and after July 1, 2014, any municipal university, community college, technical college or vocational educational school, having the meanings respectively ascribed thereto by K.S.A. 74-3201b, and amendments thereto, accepting payment of fees, tuition or other charges in the form of a credit or debit card shall be subject to the provisions of K.S.A. 16a-2-403, and amendments thereto.

Sec. 2. K.S.A. 79-2973 is hereby amended to read as follows: 79-2973. (a) The director of taxation, any county treasurer and any authorized employee or agent of the director or treasurer may accept credit cards in payment of any of the taxes or fees administered by the director or collected by the county treasurer. The type of credit cards accepted shall be at the discretion of the director or the county treasurer.

(b) Prior to July 1, 2014, the director and the county treasurer may set a fee to be added to each credit card transaction equal to the charge paid by the state, county treasurer or the taxpayer for the use of the credit card by the taxpayer. Except for the fees imposed under this

section, no other fees may be imposed by the director or county treasurer.

(c) On and after July 1, 2014, payments accepted by credit card or other electronic means by the director of taxation, any county treasurer or any authorized employee or agent of the director or treasurer shall not be greater than payments made in the form of a personal, certified or cashier's check or money order.

(d) In no event shall the director or county treasurer discount or otherwise reduce the tax liability of a taxpayer who has elected to use a credit card for payment of the tax liability.

(e) On and after July 1, 2014, any transaction involving payment by credit card pursuant to this section shall be subject to the provisions of K.S.A. 16a-2-403, and amendments thereto.

Sec. 3. K.S.A. 79-2973 and K.S.A. 2011 Supp. 75-30,100 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.