

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

HOUSE BILL NO. 1389

By: Paulk

AS INTRODUCED

An Act relating to the Uniform Consumer Credit Code; amending 14A O.S. 1991, Section 2-211, which relates to discounts and certain payments; authorizing certain governmental entities to impose surcharges on cardholders; imposing limits on amount of surcharge; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 14A O.S. 1991, Section 2-211, is amended to read as follows:

Section 2-211. A. With respect to all sales transactions, a discount which a seller offers, allows or otherwise makes available for the purpose of inducing payment by cash, check or similar means rather than by use of an open-end credit card account shall not constitute a credit service charge as determined under Section 2-109 of Title 14A of the Oklahoma Statutes if the discount is offered to all prospective buyers clearly and conspicuously in accordance with regulations of the Administrator. No seller in any sales transaction may impose a surcharge on a cardholder who elects an open-end credit card account instead of paying by cash, check or similar means. There is no limit on the discount which may be offered by the seller. A seller who provides a discount otherwise than in accordance with the regulations of the Administrator must make the disclosures required by those regulations.

B. Notwithstanding any other provision of this title, state, county and municipal agencies and departments and public trusts of which the state or a county or municipality is the sole beneficiary may impose a surcharge on a cardholder who elects to pay a governmental fine, fee or charge with a credit card instead of

paying by cash, check or similar means. Any such surcharge shall be limited to the fee charged the governmental agency or department by the credit card company for the use of the credit card.

SECTION 2. This act shall become effective November 1, 1999.

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