

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 3336

By: Inman

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5
6 AS INTRODUCED

7 An Act relating to public finance; imposing
8 requirement on certain vendors with respect to debit
9 cards; requiring disclosure of cardholder fees;
10 requiring information to be submitted on contract
11 anniversary date; providing for termination of
12 contract; requiring state government entity to make
13 website disclosure; requiring information to be
14 available upon request; authorizing certain elected
15 officials to request fee information; requiring
16 information to be kept confidential; prohibiting
17 disclosure pursuant to the Oklahoma Open Records Act;
18 providing for codification; and providing an
19 effective date.

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

21 SECTION 1. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 34.74.1 of Title 62, unless
23 there is created a duplication in numbering, reads as follows:

24 A. Upon the effective date of this act, any new contract with
any person, firm, general or limited partnership, corporation,
limited liability company or other lawfully recognized business
entity, to provide debit card services entered into by any state

1 governmental entity shall provide persons receiving payments from
2 the governmental entity with the following minimum capabilities:

3 1. One cash withdrawal at no cost to the cardholder per pay
4 period, but not to exceed once per week, at the teller window of
5 participating financial institutions; a participating financial
6 institution is any bank or credit union that accepts the state
7 governmental entity's branded debit card;

8 2. Two free in-network ATM withdrawals per deposit period;

9 3. Two free calls to the contractor's call center per deposit
10 period;

11 4. Free unlimited calls to the contractor's call center to
12 report lost or stolen cards or to dispute transactions;

13 5. Free unlimited Personal Identification Number (PIN) changes;

14 6. Free unlimited access to a cardholder website for balance
15 and transaction information; and

16 7. Disclosure of all fees on all cardholder materials.

17 B. Any state governmental entity entering into a contract as
18 specified in subsection A of this section must disclose all fees
19 charged to the cardholder, associated with the use of the
20 governmental entity's debit card, on cardholder materials including
21 card carriers, program brochures, terms of usage, and cardholder
22 websites produced in conjunction with the state governmental
23 entity's debit card program. Further, the disclosure of fees shall
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1 be clearly delineated, be contained within a table and provide a
2 toll-free number for cardholders to report problems.

3 C. On or before July 30 annually, the contracting state
4 governmental entity, or its debit card provider, shall notify all
5 participating financial institutions as specified in subsection B of
6 this section, stating their responsibilities for distributing funds
7 consistent with the provisions of this section. The notice shall
8 include an image which reflects the design of each debit card used
9 by the governmental entity.

10 D. In addition to the use of debit card services or any other
11 payment method allowed by law, state governmental entities shall
12 provide an option for recipients to receive benefits through the use
13 of direct deposit to the recipient's bank account.

14 E. Each person, firm, general or limited partnership,
15 corporation or other lawfully recognized business entity shall
16 prepare a summary of cardholder fee information and upon the
17 anniversary date of the contract with any state governmental entity
18 or within twenty (20) days thereafter shall provide the cardholder
19 fee information to the awarding state governmental entity. Such
20 information shall include a total of all cardholder fees charged
21 during the applicable contract period. Any statewide elected
22 official and any member of the Legislature may request a disclosure
23 of all cardholder fees charged by any entity subject to the
24 provisions of this section by making a request of the state

1 governmental entity to which the fee information has been reported.
2 Once the cardholder fee information has been obtained, the
3 information shall not be disclosed by the elected official or by the
4 legislator to any other person, lawfully recognized business entity
5 or any other entity and the cardholder fee information shall not be
6 disclosed pursuant to the provisions of the Oklahoma Open Records
7 Act or any other provision of law.

8 SECTION 2. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 24A.5-1 of Title 51, unless
10 there is created a duplication in numbering, reads as follows:

11 Any information provided to a state governmental entity, to a
12 statewide elected official or to a legislator pursuant to the
13 provisions of subsection E of Section 1 of this act shall not be
14 subject to disclosure pursuant to the provisions of the Oklahoma
15 Open Records Act.

16 SECTION 3. This act shall become effective November 1, 2014.

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