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## FISCAL IMPACT REPORT

ORIGINAL DATE 1/28/08

SPONSOR Rawson LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Electronic Payments to Counties SB 294

ANALYST Cox

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY08	FY09		
	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Attorney General' Office - AGO  
New Mexico Association of Counties

### SUMMARY

#### Synopsis of Bill:

Senate Bill 294 would amend NMSA Section 6-10-1.2 to allow a county government to accept payment by credit card or electronic means of any amount due the county.

### SIGNIFICANT ISSUES

AGO states that:

Current law allows state agencies to accept credit card payments for any amounts due the state. See NMSA Section 6-10-1.2; 7-1-6; 65-1-28A (1978). The State Board of Finance by rule also provides for acceptance of credit card payments by state agencies through its fiscal agent contract, but does not appear to allow acceptance of those payments by local public bodies. 2.60.8 NMAC. Although there do not appear to be provisions in state law prohibiting accepting credit card payments by counties, the law is silent as to their authority to do so. This bill would specifically authorize the acceptance of that form of payment by counties.

Current law already allows for payment to any public body by electronic transfer. NMSA Section 6-10-63. However, the State Board of Finance requires prior authorization from the Financial Control Division of the Department of Finance and Administration before a public

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body may use such transfers. 2.60.8.10 NMAC. The Board may have to amend its rule to conform with the new Statute.

NM Association of Counties is receptive of this Bill, and has polled several County Treasurers. These County Treasurers are also supportive of this Bill.

The effective date of this Bill is July 1, 2008.

PRC/mt