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AN ACT

RELATING TO TRANSACTION FEES; ALLOWING STATE AGENCIES AND
LOCAL GOVERNING BODIES TO CHARGE A UNIFORM FEE TO PERSONS
MAKING PAYMENTS BY CREDIT CARD OR ELECTRONIC TRANSFER.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 6-10-1.2 NMSA 1978 (being Laws 1999,
Chapter 176, Section 1, as amended) is amended to read:

"6-10-1.2. PAYMENT METHODS AUTHORIZED--FEE.--

A. A state agency or local governing body may
accept payment by credit card or electronic means of any
amount due under any law or program administered by the
agency or local governing body. The state board of finance
shall adopt rules on the terms and conditions of a state
agency accepting payments by credit card or electronic
transfer. The local governing body shall adopt procedures,
subject to the approval of the department, on the terms and
conditions of accepting payments by credit card or electronic
transfer.

B. A state agency or local governing body may
charge a uniform convenience fee to cover the approximate
costs imposed by a financial institution that are directly
related to processing a credit card or electronic transfer
transaction. The fee shall be charged to the person using a
credit card or electronic transfer. Amounts collected

1 pursuant to this subsection are appropriated to the state
2 agency or local governing body to defray the cost of
3 processing the transaction." _____

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