

MINUTES OF THE HOUSE FINANCIAL INSTITUTIONS COMMITTEE

The meeting was called to order by Chairman Anthony Brown at 3:33p.m. on January 13, 2010, in Room 784 of the Docking State Office Building.

All members were present except:

Representative Tom Burroughs- excused
Representative Virgil Peck- excused
Representative Dale Swenson- excused
Representative Phil Hermanson- excused

Committee staff present:

Bruce Kinzie, Office of the Revisor of Statutes
Sean Ostrow, Office of the Revisor of Statutes
Melissa Calderwood, Kansas Legislative Research Department
Lauren Douglass, Kansas Legislative Research Department
Joyce Bishop, Committee Assistant

Conferees appearing before the Committee:

None

Others attending:

See attached list.

The 2010 Committee Rules were distributed to members(Attachment 1). Robert Olson made the motion to approve the committee rules. Peter DeGraaf seconded the motion. The motion passed unanimously.

Peter DeGraaf presented a proposed bill for introduction **concerning the consumer credit code; relating to finance charges; prohibiting surcharges on credit cards; amending K.S.A. 16a-2-403 and repealing the existing section.** (Attachment 2)

Peter DeGraaf made the motion to accept the bill. Mario Goico seconded the motion. The motion passed unanimously.

The next meeting is scheduled for January 20, 2010.

The meeting was adjourned at 3:38p.m.

COMMITTEE RULES
2010
KANSAS HOUSE FINANCIAL INSTITUTIONS COMMITTEE
January 13, 2010

1. The Chair shall determine the committee agenda and may bring to discussion, and possible vote, any bills previously heard at any time.
2. Committee members shall not address conferees until permission is granted by the Chair.
3. The Chair reserves the right to limit questioning of conferees by committee members in the interest of time.
4. Committee members shall not be approached during committee hearings or deliberations by anyone other than legislative members or legislative staff.
5. No bill or resolution shall be taken up for a committee vote unless announced by the Chair.
6. A motion requires a second to be in order.
7. Original motions shall be in order when a bill is pending for consideration. A substitute motion is in order, but no additional substitute motion shall be in order until the prior substitute motions is disposed of. Amendments to motions are not in order.
8. An amendment to a bill must be "germane" to the area of law that is being proposed or changed.
9. A motion to "table a bill" or "take from the table" shall be in order only when such item is on the agenda or is taken up by the Chair. The motion requires a simple majority and is, non-debatable. A successful motion to "table a bill" shall lay the bill over a minimum of one day.
10. A motion to report a bill out of committee shall not be in order until all amendments, which have been prepared by the Revisor of Statutes office reported to the chairman in advance of the meeting, have been considered.
11. A motion to reconsider a previous successful motion shall only be made by a member voting on the prevailing side of the original motion. A simple majority vote of members present shall be required to reconsider a previous successful motion.
12. There shall be no recording, audibly, photographically or otherwise, of committee voting except by the committee secretary. A request from any member that their own vote be recorded shall be granted.
13. Adjournment is reserved to the Chair, and no motion to adjourn shall be entertained.
14. All powers, duties and responsibilities not addressed herein are reserved to the Chair.

2010

HOUSE BILL NO. _____

By

AN ACT concerning the consumer credit code; relating to finance charges; prohibiting surcharges on credit cards; amending K.S.A. 16a-2-403 and repealing the existing section.

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

Section 1. K.S.A. 16a-2-403 is hereby amended to read as follows: 16a-2-403. No seller or lessor in any sales or lease transaction or any credit card issuer may impose a surcharge on a card holder who elects to use a credit or debit card in lieu of payment by cash, check or similar means. A surcharge is any additional amount imposed at the time of the sales or lease transaction by the merchant, seller or lessor that increases the charge to the buyer or lessee for the privilege of using a credit or debit card.

Sec. 2. K.S.A. 16a-2-403 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.