

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**  
LEGISLATURE *of* THE STATE *of* KANSAS  
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**MEMORANDUM**

To: Members of the Senate Committee on Financial Institutions and Insurance

From: Adam Siebers, Assistant Revisor

Date: February 9, 2023

Subject: Senate Bill No. 104

**Summary**

Senate Bill No. 104 would repeal K.S.A. 16a-2-403. This statute prohibits sellers from imposing a surcharge when a credit or debit card is used to make a purchase. Repealing the statute would allow for the imposition of a surcharge by sellers when a credit card or debit card is used.

The remaining sections of the bill remove references and exemptions to this repealed statute that would no longer apply.

## 2022 Kansas Statutes

**16a-2-403. Prohibiting surcharge on credit or debit cards.** No seller or lessor in any sales or lease transaction or any credit or debit 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.

**History:** L. 1986, ch. 90, § 2; L. 1999, ch. 107, § 17; L. 2010, ch. 64, § 1; July 1.