

## SENATE BILL No. 221

By Committee on Judiciary

2-12

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1 AN ACT concerning credit and debit transactions; relating to surcharges;  
2 amending K.S.A. 72-8245 and K.S.A. 2014 Supp. 12-16,125, 19-122  
3 and 75-30,100 and repealing the existing sections; also repealing  
4 K.S.A. 2014 Supp. 16a-2-403.  
5

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

7 Section 1. K.S.A. 2014 Supp. 12-16,125 is hereby amended to read as  
8 follows: 12-16,125. A city may accept credit or debit cards for the payment  
9 of taxes, utility fees or other exactions. The city may establish the type of  
10 credit or debit card the city will accept. The city may set a fee to be added  
11 to each credit card transaction equal to the charge paid by the city for the  
12 use of the credit card by the person. If the city imposes a fee for payments  
13 made by credit card, the city shall provide notice of such fee to the person  
14 making payment by credit card.

15 ~~Any transaction involving payment by credit card pursuant to this~~  
16 ~~section shall not be subject to the provisions of K.S.A. 16a-2-403, and~~  
17 ~~amendments thereto.~~

18 Sec. 2. K.S.A. 2014 Supp. 19-122 is hereby amended to read as  
19 follows: 19-122. (a) Any county may accept credit or debit cards for the  
20 payment of any taxes, utility fees or other exactions. The county may  
21 establish the type of credit or debit card the county will accept. The county  
22 may set a fee to be added to each credit card transaction equal to the  
23 charge paid by the county for the use of the credit card by the person. If  
24 the county imposes a fee for payments made by credit card, the county  
25 shall provide notice of such fee to the person making payment by credit  
26 card.

27 ~~(b) Any transaction involving payment by credit card pursuant to this~~  
28 ~~section shall not be subject to the provisions of K.S.A. 16a-2-403, and~~  
29 ~~amendments thereto.~~

30 Sec. 3. K.S.A. 72-8245 is hereby amended to read as follows: 72-  
31 8245. The board of education of any school district, pursuant to a policy  
32 developed and adopted by the board, may provide for the acceptance of  
33 payment in the form of a credit or debit card of fees, tuition or other  
34 charges imposed by the school district. The policy may provide for  
35 imposition of an additional fee to recover the actual amount of any costs  
36 incurred by the school district by reason of the method of payment used.

1 The policy also may provide for establishment by the school district of  
2 secure internet sockets that will allow payment by a credit or debit card via  
3 the internet. ~~Any transactions involving payment by credit card pursuant to  
4 this section shall not be subject to the provisions of K.S.A. 16a-2-403, and  
5 amendments thereto.~~

6 Sec. 4. K.S.A. 2014 Supp. 75-30,100 is hereby amended to read as  
7 follows: 75-30,100. (a) Any state agency which imposes or collects fees,  
8 tuition or other charges shall accept payment thereof in the form of a  
9 personal, certified or cashier's check or money order. A state agency may  
10 accept payment by credit card, debit card or other method designated by  
11 the agency. A state agency may impose an additional fee to recover the  
12 actual amount of any cost incurred by reason of the method of payment  
13 used by the payee.

14 (b) In addition to the methods specified in subsection (a), after June  
15 30, 2001, a state agency shall accept payment of fees, tuition or other  
16 charges in the form of a credit card or debit card.

17 ~~(c) Any transactions involving payment by credit card or debit card  
18 pursuant to this section shall not be subject to the provisions of K.S.A.  
19 16a-2-403, and amendments thereto.~~

20 ~~(d)~~ (c) The provisions of this section shall not apply to any fees, fines  
21 or charges imposed by the secretary of corrections or the commissioner of  
22 juvenile justice on offenders under the jurisdiction of the secretary of  
23 corrections or juvenile offenders placed in juvenile correctional facilities  
24 under the jurisdiction of the commissioner of juvenile justice.

25 ~~(e) Any municipal university, community college, technical college,  
26 or vocational educational school, having the meanings respectively  
27 ascribed thereto by K.S.A. 74-3201b, and amendments thereto, accepting  
28 payment of fees, tuition or other charges in the form of a credit card or  
29 debit card shall not be subject to the provisions of K.S.A. 16a-2-403, and  
30 amendments thereto.~~

31 Sec. 5. K.S.A. 72-8245 and K.S.A. 2014 Supp. 12-16,125, 16a-2-403,  
32 19-122 and 75-30,100 are hereby repealed.

33 Sec. 6. This act shall take effect and be in force from and after its  
34 publication in the statute book.