

1 from time to time to obtain extensions of credit under a revolving
2 credit plan. Checks, drafts and similar instruments that can be
3 used only once to obtain a single credit extension are not credit
4 cards.

5 (b) A seller may not impose a surcharge on a sales transaction
6 for which the method of payment is a credit card.

7 (c) If a seller imposes fees or surcharges on sale
8 transactions involving methods of payment other than a credit card,
9 the seller must make clear and conspicuous disclosure of these
10 fees.

11 (d) Any seller who accepts or offers to accept a credit card,
12 as defined in this section, bearing a trade name as a means of
13 payment shall accept any credit card bearing that trade name
14 presented by a cardholder, notwithstanding the identity of the card
15 issuer.

16 (e) Nothing in this section prohibits any seller from
17 offering a discount to a buyer to induce the buyer to pay by cash,
18 debit card, check or means other than by credit card. No existing
19 or future contract or agreement shall prohibit a gasoline retailer
20 or distributor from offering a discount to a buyer based upon the
21 method of payment by the buyer for the gasoline. Any provision in
22 such a contract or agreement prohibiting a retailer or distributor
23 from offering such a discount is void and without effect as
24 contrary to public policy.

1 (f) Nothing in this section prohibits any seller from
2 conditioning acceptance of a credit card on a buyer's minimum
3 purchase. Each seller shall disclose any such minimum purchase
4 policy orally or in writing at the point of purchase, including,
5 but not limited to, at or on a cash register and in an
6 advertisement or menu.

NOTE: The purpose of this bill is to prohibit surcharges by sellers when a buyer elects to use a credit card as method of payment and to require sellers to make clear and conspicuous disclosure of fees which are otherwise charged.

§46A-6-111 is new; therefore, strike-throughs and underscoring have been omitted.