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## HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ivey to Engrossed House Bill No. 488 by Representative Ivey

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1 AMENDMENT NO. 1

2 On page 1, line 2, after "(B) and" delete the remainder of the line and on line 3, delete  
3 "49:316.1(G)" and insert "R.S. 49:316.1"

4 AMENDMENT NO. 2

5 On page 1, line 4, change "devices in payment" to "payments"

6 AMENDMENT NO. 3

7 On page 1, at the end of line 5, insert "electronic payments; to provide for"

8 AMENDMENT NO. 4

9 On page 2, line 1, delete "shall" and insert "may"

10 AMENDMENT NO. 5

11 On page 2, line 6, delete "shall be" and insert "may be either a uniform dollar amount or"

12 AMENDMENT NO. 6

13 On page 2, line 9, between "but" and "shall" insert "the convenience fee"

14 AMENDMENT NO. 7

15 On page 2, line 10, delete "cost of the"

16 AMENDMENT NO. 8

17 On page 2, line 12, change "R.S. 49:316.1(A)(1)" to "R.S. 49:316.1"

18 AMENDMENT NO. 9

19 On page 2, at the end of line 12, delete "and R.S." and on line 13 delete "49:316.1(G) is  
20 hereby enacted"

21 AMENDMENT NO. 10

22 On page 2, line 14, after "credit" insert a comma "," and delete the word "and"

23 AMENDMENT NO. 11

24 On page 2, line 14, between "cards" and the semi-colon ";" insert a comma "," and insert  
25 "and electronic payments"

1 AMENDMENT NO. 122 On page 2, line 22, delete "similar payment devices" and insert "electronic payments"3 AMENDMENT NO. 13

4 On page 2, delete line 24 in its entirety and insert the following:

5           "(2)(a) The state treasurer shall establish a fee for approved payment of  
6 transactions authorized by this Section for each card or ~~device~~ electronic payment  
7 and for each method of conducting transactions to be accepted. The fee shall be  
8 established as uniformly as possible. When accepting such cards or ~~devices~~  
9 electronic payments as authorized by this Section, any state entity shall assess a fee,  
10 if such fee has been established and in the amount established by the treasurer  
11 pursuant to this Section, provided that the fee is a uniform dollar amount or  
12 percentage assessed for each card or ~~device~~ electronic payment and for each method  
13 of conducting transactions to be accepted by the state entity, and such fee shall be  
14 considered a "state charge" as provided in this Section. Further, such fee shall not  
15 exceed the processing fee charged by the bank. The provisions of this Paragraph  
16 shall not be applicable to public postsecondary institutions of higher education or to  
17 transactions administered by a third-party processor for the Department of Revenue,  
18 the Department of Insurance, the Department of Transportation and Development,  
19 the Department of Public Safety and Corrections, the Department of Wildlife and  
20 Fisheries, or the Department of Environmental Quality.

21           (b) Notwithstanding the provisions of Subparagraph (2)(a) of this Subsection  
22 and Subsection C of this Section, each public postsecondary institution of higher  
23 education may assess a fee, for each card or ~~device~~ electronic payment, and for each  
24 method of conducting transactions, to be accepted for approved payment of  
25 transactions authorized by this Section. The amount of any such fee shall be as  
26 determined by the respective public postsecondary institution of higher education  
27 and shall be considered a "state charge" as provided in this Section. Each public  
28 postsecondary institution of higher education may negotiate and enter into contracts,  
29 for periods not to exceed five years, for provision of, and activities related to, the use  
30 of such cards or ~~devices~~ electronic payments. Contracts may be made with financial  
31 providers, third-party processors, or providers for Internet and other similar use and  
32 payment acceptance with respect to such cards or ~~devices~~ electronic payments.

33           (c) Notwithstanding the provisions of Subparagraph (a) of this Paragraph,  
34 the fee charged by a third-party processor for the Department of Revenue, the  
35 Department of Insurance, the Department of Transportation and Development, the  
36 Department of Public Safety and Corrections, the Department of Wildlife and  
37 Fisheries, or the Department of Environmental Quality shall be a convenience fee  
38 paid directly to the private entity third-party processor by the payor and shall not be  
39 considered a "state charge" as provided in this Section. However, the amount of the  
40 convenience fee shall be approved by the Senate Committee on Revenue and Fiscal  
41 Affairs and the House Committee on Ways and Means. In addition, the amount of  
42 the convenience fee shall be disclosed to the payor before the transaction is  
43 completed, and the payor shall be given the option of canceling the transaction at that  
44 time.

45           (3) The authorization and use of credit and debit cards and ~~similar payment~~  
46 ~~devices~~ electronic payments to make or accept payment for any government charge  
47 or required payment shall be in accordance with the provisions of this Section, and  
48 any rules, regulations, contracts, agreements, or policies promulgated or entered into  
49 pursuant to this Section.

50           B. When a state entity accepts payment of any state charge by any card or  
51 ~~device~~ electronic payment, the liability therefor is not finally discharged and

1 obligation for payment of such state charge is not extinguished until the state entity  
2 has received final settlement, payment, or other credit in full for the state charge and  
3 any additional permissible fees associated with the transaction. Upon receipt of the  
4 final settlement, payment, or other credit, the state charge shall be deemed paid on  
5 the date the credit or debit charge was initially made.

6 C. The treasurer shall designate any credit cards, debit cards, or ~~similar~~  
7 ~~payment devices~~ electronic payments that state entities may accept to receive  
8 payment of any state charges, and shall from time to time, but at least annually,  
9 publish a list of approved credit and debit cards by which any state entity will be  
10 authorized to accept payment of any charge or payment the state entity is authorized  
11 to collect. Any state entity may recommend that the treasurer consider a specific  
12 credit or debit card for approval. Except as provided in Subparagraph (A)(2)(b) of  
13 this Section, he shall have authority to negotiate and enter into all contracts, for  
14 periods not to exceed five years, with providers of such cards or ~~devices~~ electronic  
15 payments, including master or statewide financial providers, third-party processors,  
16 or providers for Internet and other similar use and payment acceptance using such  
17 cards or ~~devices~~ electronic payments. In negotiating such contracts and approving  
18 designated cards or ~~devices~~ electronic payments, the treasurer shall seek to achieve  
19 uniform implementation and standard terms and provisions with respect to the  
20 acceptance of payments by state entities, in order to achieve maximum efficiency,  
21 uniformity, and cost effectiveness. Any contracts pursuant to this Section may  
22 include such provisions, terms, and conditions as the treasurer shall deem necessary  
23 or appropriate to fulfill those purposes, including specific terms applicable to any  
24 particular state entity, such as any limitations on amounts and limits of liabilities  
25 eligible for payment, operational requirements, types, terms, and payment of fees.

26 D. The treasurer shall by rule establish procedures and guidelines for the  
27 approval and operation of any cards or ~~devices~~ electronic payments, and fix  
28 applicable processing fees, pursuant to this Section.

29 E. The authorizations for and use of any cards or ~~devices~~ electronic  
30 payments by any state department, agency, board, commission, or other state entity,  
31 to accept payment for any state charges, shall be pursuant to and in accordance with  
32 this Section, notwithstanding any other provisions of law.

33 F. Any contracts or other binding arrangements for acceptance of credit or  
34 debit cards or ~~any other devices~~ electronic payments, in existence on August 15,  
35 1999, shall not be affected by this Section and shall be honored according to their  
36 terms."