

1 **ELECTRONIC PAYMENTS TO LOCAL**
2 **GOVERNMENT ENTITIES**

3 2005 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Joseph G. Murray**

7 **LONG TITLE**

8 **General Description:**

9 This bill enacts provisions related to the acceptance of electronic payments by local
10 government entities.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ authorizes counties, municipalities, and independent special districts to accept
14 electronic payments and to charge an electronic payment fee.

15 **Monies Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 ENACTS:

21 **10-8-85.6**, Utah Code Annotated 1953

22 **17-15-28**, Utah Code Annotated 1953

23 **17A-2-105**, Utah Code Annotated 1953

25 *Be it enacted by the Legislature of the state of Utah:*

26 Section 1. Section **10-8-85.6** is enacted to read:

27 **10-8-85.6. Definitions -- Electronic payments -- Fee.**



28 (1) As used in this section:

29 (a) "Electronic payment" means the payment of money to a municipality by electronic
30 means, including by means of a credit card, ~~§~~ charge card, ~~§~~ debit card, ~~§~~ prepaid or
30a stored value card or similar device, ~~§~~ or automatic clearinghouse transaction.

31 (b) "Electronic payment fee" means an amount of money to defray the discount fee,
32 processing fee, or other fee charged by a credit card company or processing agent to process ~~§~~ [a fee
32a charged to the consumer that is uniform across all types of electronic payments for the
32b convenience of using] ~~§~~ an
33 electronic payment.

34 (c) "Processing agent" means a bank, transaction clearinghouse, or other third party
35 that charges a fee to process an electronic payment.

36 (2) A municipality may accept an electronic payment for the payment of funds which
37 the municipality could have received through another payment method.

38 (3) A municipality that accepts an electronic payment may charge an electronic
39 payment fee.

40 Section 2. Section 17-15-28 is enacted to read:

41 **17-15-28. Definitions -- Electronic payments -- Fee.**

42 (1) As used in this section:

43 (a) "Electronic payment" means the payment of money to a county by electronic means,
44 including by means of a credit card, ~~§~~ charge card, ~~§~~ debit card, ~~§~~ prepaid or stored
44a value card or similar device, ~~§~~ or automatic clearinghouse transaction.

45 (b) "Electronic payment fee" means an amount of money to defray the discount fee,
46 processing fee, or other fee charged by a credit card company or processing agent to process ~~§~~ [a fee
46a charged to the consumer that is uniform across all types of electronic payments for the
46b convenience of using] ~~§~~ an
47 electronic payment.

48 (c) "Processing agent" means a bank, transaction clearinghouse, or other third party
49 that charges a fee to process an electronic payment.

50 (2) A county may accept an electronic payment for the payment of funds which the
51 county could have received through another payment method.

52 (3) A county that accepts an electronic payment may charge an electronic payment fee.

53 Section 3. Section 17A-2-105 is enacted to read:

54 **17A-2-105. Definitions -- Electronic payments -- Fee.**

55 (1) As used in this section:

56 (a) "Electronic payment" means the payment of money to an independent special
57 district by electronic means, including by means of a credit card, ~~§~~→ **charge card**, ←~~§~~ debit card,
57a **§**→ **prepaid or stored value card or similar device**, ←~~§~~ or automatic
58 clearinghouse transaction.



Fiscal Note
Bill Number HB0051

Electronic Payments to Local Government Entities

13-Jan-05

10:40 AM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst