

**ELECTRONIC PAYMENTS TO LOCAL  
GOVERNMENT ENTITIES**

2005 GENERAL SESSION

STATE OF UTAH

**Sponsor: Joseph G. Murray**

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**LONG TITLE**

**General Description:**

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

**Highlighted Provisions:**

This bill:

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

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

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

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

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

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

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

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

(1) As used in this section:

(a) "Electronic payment" means the payment of money to a municipality by electronic

means, including by means of a credit card, charge card, debit card, prepaid or stored value card or similar device, or automatic clearinghouse transaction.

(b) "Electronic payment fee" means an amount of money to defray the discount fee, processing fee, or other fee charged by a credit card company or processing agent to process an electronic payment.

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

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

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

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

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

(1) As used in this section:

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

(b) "Electronic payment fee" means an amount of money to defray the discount fee, processing fee, or other fee charged by a credit card company or processing agent to process an electronic payment.

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

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

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

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

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

(1) As used in this section:

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

(b) "Electronic payment fee" means an amount of money to defray the discount fee, processing fee, or other fee charged by a credit card company or processing agent to process an electronic payment.

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

(2) An independent special district may accept an electronic payment for the payment of funds which the independent special district could have received through another payment method.

(3) An independent special district that accepts an electronic payment may charge an electronic payment fee.