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MEMORANDUM

To: House Committee on Financial Institutions and Pensions
From: Office of Revisor of Statutes
Date: January 30, 2023
Subject: **HB 2133: Allowing a surcharge when purchases are made with a credit or debit card.**

House Bill No. 2133 repeals K.S.A. 16a-2-403, the statute that prohibits the imposition of a surcharge on credit card or debit card payments.

The bill amends several sections of law to eliminate references to K.S.A. 16a-2-403 since the repeal of K.S.A. 16a-2-403 renders such references unnecessary.

The bill becomes effective upon publication in the statute book, July 1, 2023.

16a-2-403. Prohibiting surcharge on credit or debit cards. No seller or lessor in any sales or lease transaction or any credit or debit card issuer may impose a surcharge on a card holder who elects to use a credit or debit card in lieu of payment by cash, check or similar means. A surcharge is any additional amount imposed at the time of the sales or lease transaction by the merchant, seller or lessor that increases the charge to the buyer or lessee for the privilege of using a credit or debit card.

History: L. 1986, ch. 90, § 2; L. 1999, ch. 107, § 17; L. 2010, ch. 64, § 1; July 1.