

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 160

H.P. 116

House of Representatives, January 21, 2021

An Act To Allow Insurance Producers To Refer to Third Parties for Credit Card and Debit Card Payments

Received by the Clerk of the House on January 19, 2021. Referred to the Committee on Health Coverage, Insurance and Financial Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BLIER of Buxton.
Cosponsored by Representative: MORRIS of Turner.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 9-A MRSA §8-509, sub-§3** is enacted to read:

3 **3. Surcharge permitted for insurance premium payments.** Notwithstanding
4 subsection 1, a surcharge may be imposed by an authorized 3rd-party payment service
5 provider for insurance premium payments made with a credit card or debit card in
6 accordance with the requirements of Title 24-A, section 2163-A, subsection 5.

7 **Sec. 2. 24-A MRSA §2163-A, sub-§5** is enacted to read:

8 **5. Referral to 3rd party for payment of insurance premium by credit or debit**
9 **card.** A producer may refer a client to an authorized 3rd-party payment service provider
10 that is not an insurer, an affiliate of the insurer or another producer for the purpose of
11 accepting a credit card or debit card to pay the client's insurance premium. An authorized
12 3rd-party payment service provider upon a referral made under this subsection may impose
13 a surcharge for payments made with a credit card or debit card in accordance with Title
14 9-A, section 8-509, subsection 3. A producer making a referral pursuant to this subsection
15 shall disclose to the client prior to making the payment that a surcharge is imposed by a
16 3rd party for the service and that the surcharge may be avoided if the client pays the
17 premium by cash, check or other means not a credit card or debit card.

18 **SUMMARY**

19 This bill permits an insurance producer to refer clients to an authorized 3rd-party
20 payment service provider for the purpose of accepting a credit card or debit card to pay the
21 client's insurance premium. The bill also authorizes the 3rd party to impose a surcharge
22 for payments made with a credit card or debit card.