

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 1324

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S.P. 541

In Senate, March 27, 2023

### **An Act to Allow Credit and Debit Card Surcharges**

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Reference to the Committee on Health Coverage, Insurance and Financial Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator GUERIN of Penobscot.  
Cosponsored by Senators: BRAKEY of Androscoggin, KEIM of Oxford, LYFORD of Penobscot, TIMBERLAKE of Androscoggin.

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

2 **Sec. 1. 5 MRSA §1509-A**, as amended by PL 2021, c. 150, §1, is further amended  
3 to read:

4 **§1509-A. Payment by credit card**

5 State departments and agencies shall implement, with the approval of the State  
6 Controller and the State Treasurer of State, procedures for accepting payment for goods,  
7 services, taxes, fines, charges or any other fees by credit card, debit card or other electronic  
8 means. Unless otherwise provided for in law, a state department or agency may impose a  
9 surcharge, including a service fee, for payments made by credit card or debit card for taxes,  
10 fines, charges, utility fees, regulatory fees, registration fees, license or permit fees or the  
11 provision of a specific service or good provided by that state department or agency ~~in~~  
12 ~~accordance with the provisions of Title 9-A, section 8-509, subsection 2.~~

13 **Sec. 2. 9-A MRSA §8-509**, as amended by PL 2021, c. 150, §2, is repealed.

14 **SUMMARY**

15 Current law prohibits a seller in a sales transaction, except for governmental entities  
16 with certain limitations, from imposing a surcharge on a cardholder who pays using a credit  
17 card or debit card. This bill repeals the prohibition and the limitations.