

1 AMENDMENT TO HOUSE BILL 3576

2 AMENDMENT NO. _____. Amend House Bill 3576 on page 1, by
3 replacing line 1 with the following:

4 "AN ACT concerning fees and charges."; and

5 on page 1, immediately below line 3, by inserting the
6 following:

7 "Section 3. The Local Government Acceptance of Credit
8 Cards Act is amended by changing Section 25 as follows:

9 (50 ILCS 345/25)

10 Sec. 25. Payment of fees by cardholders.

11 (a) The governing body of a local governmental entity
12 authorizing acceptance of payment by credit card may, but is
13 not required to, impose a convenience fee or surcharge upon a
14 cardholder making payment by credit card in an amount to
15 wholly or partially offset, but in no event exceed, the
16 amount of any discount or processing fee incurred by the
17 local governmental entity. This convenience fee or surcharge
18 may be applied only when allowed under the operating rules
19 and regulations of the credit card involved. When a
20 cardholder elects to make a payment by credit card to a local
21 governmental entity and a convenience fee or surcharge is

1 imposed, the payment of the convenience fee or surcharge
2 shall be deemed voluntary by the person and shall not be
3 refundable.

4 (b) No fee, or accumulation of fees, that exceeds the
5 lesser of \$20 or 5% of the principal amount charged may be
6 imposed in connection with the issuance of any license,
7 sticker, or permit, or with respect to any other similar
8 transaction. No fee, or accumulation of fees, that exceeds
9 the lesser of \$5 or 5% of the transaction involved may be
10 imposed in connection with the payment of any fine. No fee,
11 or accumulation of fees, in excess of the lesser of \$40 or 3%
12 of the principal amount charged may be imposed in connection
13 with the payment of any real estate or other tax.

14 (c) Notwithstanding the provisions of subsection (b), a
15 minimum fee of \$1 may be imposed with respect to any
16 transaction.

17 Notwithstanding the provisions of subsection (b), a fee
18 in excess of the limits in subsection (b) may be imposed by a
19 local governmental entity on a transaction if (i) the fee
20 imposed by the local governmental entity is no greater than a
21 fee charged by the financial institution or service provider
22 accepting and processing credit card payments on behalf of
23 the local governmental entity; (ii) the financial institution
24 or service provider accepting and processing the credit card
25 payments was selected by competitive bid and, when
26 applicable, in accordance with the provisions of the Illinois
27 Procurement Code; and (iii) the local governmental entity
28 fully discloses the amount of the fee to the cardholder.

29 (Source: P.A. 90-518, eff. 8-22-97.)".