HOUSE DOCKET, NO. 2462 FILED ON: 1/19/2023

HOUSE . . . . . No. 260

The Commonwealth of Massachusetts

PRESENTED BY:

Gerard J. Cassidy

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to credit card surcharges.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Gerard J. Cassidy	*9th Plymouth*	*1/19/2023*

HOUSE DOCKET, NO. 2462 FILED ON: 1/19/2023

HOUSE . . . . . No. 260

By Representative Cassidy of Brockton, a petition (accompanied by bill, House, No. 260) of Gerard J. Cassidy relative to credit card surcharges. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act relative to credit card surcharges.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Subsection (a) of Section 28A of Chapter 140D of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out paragraphs (1) and (2) and inserting in place thereof the following 2 paragraphs: -

(1) With respect to sales transactions nothing in this section shall prohibit any seller from offering a discount on any transaction to induce payment by cash, check, debit card or similar means rather than by charge card or credit card. No seller may offer any such discount unless such seller posts a notice disclosing such discount. Such seller shall clearly and conspicuously post such notice on the seller's premises for in-person transactions, shall post such notice on the Internet website or digital payment application before completing any online transaction or transaction that is processed by way of digital payment application, and shall verbally provide such notice before completing any oral transaction, including, but not limited to, and telephonic transaction.

(2) No seller in any sales transaction may impose a surcharge on a buyer who elects to use any method of payment, including but not limited to, cash, check, a credit card, or electronic means.