

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Joanne M. Comerford

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 transparency in credit card fees.

PETITION OF:

NAME:

Joanne M. Comerford

DISTRICT/ADDRESS:

Hampshire, Franklin and Worcester

SENATE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to transparency in credit card fees.

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

1 Subsection (a) of section 28A in Chapter 140D of the General Laws, as appearing in the
2 2022 Official Edition, is hereby amended by striking out paragraph (2) and inserting in place
3 thereof the following 2 paragraphs:-

4 (2) A seller shall not impose on a customer who uses a credit card for a transaction
5 occurring in the commonwealth a surcharge that is greater than the actual cost to the seller to
6 process the credit card payment.

7 (3) A seller that imposes a surcharge on a customer to process a credit card payment shall
8 disclose the amount of the surcharge, prior to the customer incurring any charge for goods or
9 services, by, in the case of a seller other than a restaurant, posting clear and conspicuous notice
10 on a sign at the point of sale or, in the case of a restaurant, on a sign in the customer service area
11 and on the menu; provided, however, that if the seller is processing a credit card payment for a
12 transaction that will occur through an internet website, a mobile application or an electronic
13 kiosk, the seller shall provide clear and conspicuous electronic notice on the checkout page of the

14 internet website, mobile application or electronic kiosk prior to processing the transaction; and
15 provided further, that if the seller is processing a credit card payment for a transaction that will
16 occur over the telephone, the seller shall provide verbal notice prior to processing the transaction.