



236508

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/19/2010	.	
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The Committee on Higher Education Appropriations (Gelber)  
recommended the following:

**Senate Amendment (with title amendment)**

Between lines 22 and 23  
insert:

Section 2. Subsection (1) of section 501.0117, Florida  
Statutes, is amended to read:

501.0117 Credit cards; transactions in which seller or  
lessor prohibited from imposing surcharge; penalty.-

(1) A seller or lessor in a sales or lease transaction may  
not impose a surcharge on the buyer or lessee for electing to  
use a credit card in lieu of payment by cash, check, or similar  
means, if the seller or lessor accepts payment by credit card. A



236508

13 surcharge is any additional amount imposed at the time of a sale  
14 or lease transaction by the seller or lessor that increases the  
15 charge to the buyer or lessee for the privilege of using a  
16 credit card to make payment. Charges imposed pursuant to  
17 approved state or federal tariffs are not considered to be a  
18 surcharge, and charges made under such tariffs are exempt from  
19 this section. A convenience fee imposed upon a student or family  
20 paying tuition, fees, and other student account charges by  
21 credit card to an institution that is eligible to participate in  
22 the William L. Boyd, IV, Florida Resident Access Grant Program  
23 under s. 1009.89 is not considered to be a surcharge and is  
24 exempt from this section only if the amount of the convenience  
25 fee does not exceed the total cost charged by the credit card  
26 company to the institution. The term "credit card" includes  
27 those cards for which unpaid balances are payable on demand.  
28 This section does not apply to the offering of a discount for  
29 the purpose of inducing payment by cash, check, or other means  
30 not involving the use of a credit card, if the discount is  
31 offered to all prospective customers.

32  
33 ===== T I T L E A M E N D M E N T =====

34 And the title is amended as follows:

35 Delete line 6

36 and insert:

37 certain courses; amending s. 501.0117, F.S.; providing  
38 that a convenience fee imposed upon a student or  
39 family paying tuition, fees, and other student account  
40 charges by credit card to an institution that is  
41 eligible to participate in the William L. Boyd, IV,



236508

42 Florida Resident Access Grant Program is not  
43 considered to be a surcharge under certain  
44 circumstances; providing an effective date.