

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE BILL 888

By: Dahm

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5  
6 AS INTRODUCED

7 An Act relating to Uniform Consumer Credit Code;  
8 amending 14A O.S. 2021, Section 2-417, which relates  
9 to use of credit or debit card; prohibiting a seller  
10 from denying cash payments; and providing an  
11 effective date.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 14A O.S. 2021, Section 2-417, is  
14 amended to read as follows:

15 Section 2-417. A. No seller in any sales transaction may  
16 impose a surcharge on a cardholder who elects to use a credit card  
17 or debit card in lieu of payment by cash, check or similar means.

18 B. No seller in any sales transaction shall impose a  
19 prohibition on the use of cash payments to a consumer who elects to  
20 use cash in lieu of payment by credit card or debit card.

21 C. As used in this section, "debit card" means any instrument  
22 or device, whether known as a debit card or by any other name,  
23 issued with or without fee by an issuer for the use of the  
24

1 cardholder in depositing, obtaining, or transferring funds from a  
2 consumer banking electronic facility.

3 ~~E.~~ D. For purposes of this section, a private educational  
4 institution as defined in paragraph (e) of Section 3102 of Title 70  
5 of the Oklahoma Statutes, a private school defined as a nonpublic  
6 entity conducting an educational program for at least one grade  
7 between prekindergarten through twelve, a municipality as defined in  
8 paragraph 5 of Section 1-102 of Title 11 of the Oklahoma Statutes or  
9 a public trust with a municipality as its beneficiary may charge a  
10 service fee. The service fee may be applied to online or in-person  
11 transactions and shall be used to offset bank processing fees,  
12 financial transaction fees, the cost of providing for secure  
13 transaction, portal fees, and fees necessary to compensate for  
14 increased bandwidth incurred as a result of providing the  
15 transaction.

16 SECTION 2. This act shall become effective November 1, 2023.

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18 59-1-1079 MR 1/19/2023 10:12:58 PM  
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