

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 13
PROPOSED COMMITTEE SUBSTITUTE H13-PCS30414-RN-16

Short Title: Charges for Credit, Charge, & Debit Cards.

(Public)

Sponsors:

Referred to:

January 30, 2025

A BILL TO BE ENTITLED
AN ACT TO REGULATE THE AMOUNT A MERCHANT MAY CHARGE CUSTOMERS
FOR PAYMENTS BY CREDIT CARD, CHARGE CARD, OR DEBIT CARD.

The General Assembly of North Carolina enacts:

SECTION 1. Article 13 of Chapter 66 of the General Statutes is amended by adding a new section to read:

"§ 66-67.10. Charges for payments by credit card, charge card, or debit card.

(a) In this section, the following definitions apply:

(1) Merchant. – A person that engages in the business of selling goods or services at retail.

(2) Payment card entity. – An entity involved in facilitating or processing an electronic transfer of funds between a merchant and a customer using a credit card, charge card, or debit card.

(b) A merchant operating in this State shall not impose a charge for payments by credit card, charge card, or debit card that is more than three percent (3%) of the total transaction or the actual charge that the merchant pays to a payment card entity to facilitate or process these payments, whichever is less. If a merchant operating in this State advertises that it accepts payments by credit card, charge card, or debit card and imposes a charge for these payments, the merchant shall clearly and conspicuously disclose at the point of entry and the point of sale for in-person transactions, and the home page and webpage for online transactions the amount of the charge. Notice, including all required information, shall be verbally disclosed to the customer for transactions processed over the phone.

(c) A merchant may offer discounts for the purpose of inducing payment by cash, check, or other means not involving the use of a credit card, charge card, or debit card provided that the discount is offered to all prospective customers and its availability is disclosed to all prospective customers clearly and conspicuously.

(d) A merchant shall not charge for use of a credit card, charge card, or debit card in lieu of another means of payment if at the time of transaction only credit cards, charge cards, or debit cards are accepted as payment by that merchant.

(e) The Secretary of Commerce may assess a civil penalty against a merchant for a violation of this section. The amount of the penalty shall not exceed five hundred dollars (\$500.00) per violation. The clear proceeds of civil penalties imposed pursuant to this subsection shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2."

SECTION 2. This act becomes effective October 1, 2025, and applies to payments made on or after that date.



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