

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 13
Committee Substitute Favorable 4/29/25
PROPOSED COMMITTEE SUBSTITUTE H13-PCS40598-RNf-23

Short Title: Charges for Credit & Charge 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 OR CHARGE CARD AND TO INCREASE THE
FEE PAID TO THE SECRETARY OF STATE FOR FILING ARTICLES OF
INCORPORATION UNDER THE NORTH CAROLINA NONPROFIT CORPORATION
ACT.

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 or charge 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 or charge card.

(b) A merchant operating in this State shall not impose a charge for payments by credit
card or charge card that is more than three percent (3%) of the total transaction or the charge that
the merchant pays to a payment card entity to facilitate or process these payments, whichever is
greater. If a merchant operating in this State advertises that it accepts payments by credit card or
charge 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 or charge 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 or charge card in lieu of another
means of payment if at the time of transaction only credit cards or charge 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. A merchant who violates this section is subject to a penalty of up to five
hundred dollars (\$500.00) per violation. A merchant who receives a citation for a first violation



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of this section is not subject to the penalty provided in this subsection if the merchant establishes to the Secretary of Commerce that the merchant came into compliance with this section within 30 days of the issuance of the citation, has compensated affected consumers, and the merchant has remained in compliance with this section. 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. G.S. 55A-1-22 reads as rewritten:

"§ 55A-1-22. Filing, service, and copying fees.

(a) The Secretary of State shall collect the following fees when the documents described in this subsection are delivered to the Secretary for filing:

	Document	Fee
(1)	Articles of incorporation	\$60.00 <u>\$65.00</u>
	"	

SECTION 3. Section 1 of this act becomes effective October 1, 2025, and applies to payments made on or after that date. The remainder of this act is effective when it becomes law.