



HOUSE BILL 13: Charges for Credit, Charge, & Debit Cards.

2025-2026 General Assembly

Committee:	House Judiciary 1. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 29, 2025
Introduced by:	Reps. Warren, Ross, Tyson	Prepared by:	Brad Krehely
Analysis of:	PCS to First Edition H13-CSRN-16		Committee Co-Counsel

OVERVIEW: *House Bill 13 would regulate the amount a merchant may charge customers for payments by credit card, charge card, or debit card. A merchant violating these provisions would be subject to a civil penalty.*

The Proposed Committee Substitute (PCS) would do the following: (i) add charge cards to the bill; (ii) provide that a merchant cannot impose a charge that is more than 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; (iii) clarify provisions requiring disclosure of the amount of the charge when the merchant advertises that it accepts credit cards, charge cards, and debit cards; (iv) allow a merchant to offer discounts to induce 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; (v) prohibit a merchant from charging 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; and (vi) provide that the amount of the penalty a merchant would pay must not exceed \$500.00 per violation.

CURRENT LAW: State law does not currently regulate charges imposed by merchants on customers for paying by credit card, charge card, or debit card.

BILL ANALYSIS: The PCS for House Bill 13 would prohibit a person engaging in the business of selling goods or services at retail in this State from imposing a charge on customers for paying with a credit, charge, or debit card that is more than 3% of the total transaction or the actual charge the merchant pays to a payment card entity to facilitate or process the payment, whichever is less.

If a merchant advertises that it imposes a charge for payments made by credit, charge, or debit card, the merchant would also be required to disclose the amount of the charge as follows:

- For in-person transactions- at the point of entry and the point of sale.
- For online transactions- on the home page and webpage.
- For transactions over the phone- verbal disclosure.

A merchant would be allowed to offer discounts to induce 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.

Kara McCraw
Director



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A merchant would be prohibited from charging 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.

The Secretary of Commerce would be authorized to assess a civil penalty against the merchant for violating these provisions, in an amount that must not exceed \$500.00 per violation.

EFFECTIVE DATE: This act would become effective October 1, 2025, and would apply to payments made on or after that date.

**Bill Patterson, Staff Attorney for the Legislative Analysis Division, contributed to this summary.*