

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 209
Feb 27, 2023
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40108-MU-12

Short Title: Consumer Credit Card Protection Act. (Public)

Sponsors: Representative Humphrey.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT CERTAIN BUSINESSES, STATE AGENCIES, AND LOCAL
3 GOVERNMENTS FROM IMPOSING AN EXTRA CHARGE FOR PAYMENTS BY
4 CREDIT OR DEBIT CARD.

5 The General Assembly of North Carolina enacts:

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

8 "**§ 66-67.10. No extra charge for card payments.**

9 (a) Scope. – This section applies to any of the following that operate in this State:

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

11 (2) A State agency or local government.

12 (3) A restaurant.

13 (4) A landlord.

14 (b) Prohibition. – A person subject to this section shall not impose an extra charge for
15 payments by credit card or debit card. A person subject to this section, however, may offer a
16 discount for payments by cash.

17 (c) Enforcement. – The Secretary of Commerce may assess a civil penalty against a
18 person, other than a State agency or local government, for a violation of this section. The amount
19 of the penalty shall not exceed two thousand five hundred dollars (\$2,500) for the first violation
20 or five thousand dollars (\$5,000) for a subsequent violation. The clear proceeds of civil penalties
21 imposed pursuant to this subsection shall be remitted to the Civil Penalty and Forfeiture Fund in
22 accordance with G.S. 115C-457.2."

23 **SECTION 2.** This act becomes effective October 1, 2023, and applies to payments
24 made on or after that date.

