ASSEMBLY BILL NO. 24–COMMITTEE ON JUDICIARY

PREFILED JANUARY 8, 1999

(ON BEHALF OF LEGISLATIVE COMMISSION'S STUDY CONCERNING FEES, FINES, FORFEITURES AND ADMINISTRATIVE ASSESSMENTS)

Referred to Committee on Judiciary

SUMMARY—Authorizes courts to contract for acceptance of credit cards and debit cards for payment of fees, fines and other charges owed to court. (BDR 1-178)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to courts; authorizing courts to contract for the acceptance of credit cards and debit cards for the payment of fees, fines and other charges owed to the court; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 1 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A court in this state may enter into a contract with an issuer of credit cards or debit cards to provide for the acceptance of credit cards or debit cards by the court for the payment of money owed to the court for a fee, fine, administrative assessment, restitution or any other charge owed to the court.

2. If the issuer charges the court a fee for each use of a credit card or debit card, the court may require the cardholder to pay a fee. The fee charged by the court must not exceed the amount charged by the issuer for the use of the card or 4 percent of the total amount paid to the court by the cardholder through the use of the credit card or debit card, whichever is less.

3. As used in this section:

(a) "Cardholder" means the person or organization named on the face of a credit card or debit card to whom or for whose benefit the credit card or debit card is issued by an issuer.

(b) "Credit card" means any instrument or device, whether known as a credit card or credit plate, or by any other name, issued with or without a fee by an issuer for the use of the cardholder in obtaining money, property, goods, services or anything else of value on credit.

(c) "Debit card" means any instrument or device, whether known as a debit card or by any other name, issued with or without a fee by an issuer for the use of the cardholder in depositing, obtaining or transferring funds.

(d) "Issuer" means a business organization, financial institution or authorized agent of a business organization or financial institution that issues a credit card or debit card.

Sec. 2. NRS 354.770 is hereby amended to read as follows:

354.770 1. A local government may enter into contracts with issuers of credit cards or debit cards to provide for the acceptance of credit cards or debit cards by the local government:

(a) For the payment of money owed to the local government for taxes, interest, penalties or any other obligation; or

(b) In payment for goods or services.

2. If the issuer charges the local government a fee for each use of a credit card or debit card, a contract entered into pursuant to subsection 1 must include a provision that requires the local government to pay the fee charged by the issuer for the use of the credit card or debit card.

3. The payment of fees charged by the issuer for each use of a credit card or debit card must be treated in the same manner as any other administrative cost of the local government.

4. As used in this section:

(a) "Cardholder" means the person or organization named on the face of a credit card or debit card to whom or for whose benefit the credit card or debit card is issued by an issuer.

(b) "Credit card" means any instrument or device, whether known as a credit card or credit plate, or by any other name, issued with or without a fee by an issuer for the use of the cardholder in obtaining money, property, goods, services or anything else of value on credit.

(c) "Debit card" means any instrument or device, whether known as a debit card or by any other name, issued with or without a fee by an issuer for the use of the cardholder in depositing, obtaining or transferring funds.

(d) "Issuer" means a business organization, financial institution or authorized agent of a business organization or financial institution that issues a credit card or debit card.

(e) “Local government” has the meaning ascribed to it in NRS 354.474 ~~[.]~~ ***, except that the term does not include a court that has entered into a contract pursuant to section 1 of this act.***

Sec. 3. This act becomes effective on July 1, 1999.

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