

By: Gallego

H.B. No. 2061

A BILL TO BE ENTITLED

AN ACT

relating to the acceptance of electronic check and credit card payments for certain fees and taxes by a county tax assessor-collector.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 130.002, Local Government Code, is amended to read as follows:

Sec. 130.002. ACCEPTANCE OF CHECK OR CREDIT CARD PAYMENT OF CERTAIN FEES AND TAXES. A county tax assessor-collector shall ~~may~~ accept a check or credit card invoice for the payment of:

(1) motor vehicle registration fees under Chapter 502, Transportation Code;

(2) motor vehicle sales taxes imposed by Chapter 152, Tax Code;

(3) occupation taxes paid to the assessor-collector under Chapter 191, Tax Code;

(4) motor vehicle title transfer fees under Chapter 501, Transportation Code;

(5) license or permit fees under the Alcoholic Beverage Code; and

(6) property taxes.

SECTION 2. Sections 130.0045 and 130.0046, Local Government Code, are amended to read as follows:

Sec. 130.0045. CREDIT CARD PAYMENT PROCESSING FEE. (a) A

1 ~~[If a]~~ county tax assessor-collector ~~[accepts a credit card invoice~~
2 ~~as conditional payment of a fee or tax, the assessor-collector]~~ may
3 collect a fee for processing a credit card ~~[the]~~ invoice accepted as
4 a conditional payment of a fee or tax.

5 (b) The assessor-collector may ~~[shall]~~ set a fee collected
6 under Subsection (a) in an amount that is reasonably related to the
7 expense incurred in processing the credit card invoice, not to
8 exceed three ~~[five]~~ percent of the amount of the fee or tax. The
9 processing fee is in addition to the amount of the fee or tax, and
10 may be paid conditionally by including the amount of the processing
11 fee on the credit card invoice.

12 Sec. 130.0046. ~~[FEE FOR]~~ PAYMENT BY ELECTRONIC MEANS. A
13 county tax assessor-collector shall accept ~~[that accepts]~~ payment
14 by electronic means as conditional payment of a county or state fee
15 or tax ~~[may collect a handling fee for processing the payment. The~~
16 ~~handling fee is in addition to the amount of the fee or tax and may~~
17 ~~be paid conditionally by electronic means at the same time the tax~~
18 ~~or fee is paid].~~

19 SECTION 3. This Act takes effect September 1, 2009.