

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 2838

4
5 By: Representative Jackson
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7

For An Act To Be Entitled

8
9 AN ACT TO LEVY A FEE FOR THE USE OF DEBIT OR
10 CREDIT CARDS TO PURCHASE FUEL AT THE PUMP; AND
11 FOR OTHER PURPOSES.
12

Subtitle

13
14 AN ACT TO LEVY A FEE FOR THE USE OF
15 DEBIT OR CREDIT CARDS TO PURCHASE FUEL
16 AT THE PUMP.
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code Title 26, Chapter 57 is amended to add a new
22 subchapter as follows:

23 26-57-1401. Definitions.

24 As used in this subchapter:

25 (1) "Fuel" means motor fuel, special distillate fuel, liquid
26 propane, or any other fuel for use in propelling a motor vehicle; and

27 (2) "Fuel retailer" means a seller of fuel that is dispensed at
28 a pump at the seller's retail location.
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30 26-57-1402. Pump use fee – Credit or debit card.

31 (a) A fuel retailer whose fuel pumps allow a customer to pay for fuel
32 or other services by credit or debit card, gift card, or any other method of
33 electronic payment shall program his or her pumps to assess a fee of five
34 cents (5¢) to be added to the amount charged to the customer each time a
35 customer uses a credit or debit card, gift card, or other means of electronic
36 payment to purchase fuel at the fuel retailer's pump.



1 (b) The fee levied by this section shall be paid by the fuel retailer
2 to the Director of the Department of Finance and Administration on the
3 twentieth day of the month following the month in which the fees were
4 collected.

5 (c) The director shall transmit the fees to the Treasurer of State for
6 deposit into the State Highway and Transportation Department Fund.

7 (d) The fee levied under this section shall not apply if the customer
8 purchases fuel with a credit or debit card, gift card, or other method of
9 electronic payment by presenting the card or other payment method to an
10 employee of the fuel retailer for processing and not at the pump.

11 (e) The fees levied under this section shall be subject to the
12 Arkansas Tax Procedure Act, § 26-18-101 et seq.

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14 26-57-1403. Rules for enforcement.

15 The Director of the Department of Finance and Administration shall
16 promulgate rules and forms for the administration, collection, and
17 enforcement of this section.

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19 SECTION 2. Section 1 of this act shall become effective on the first
20 day of the calendar month following the effective date of this act.