

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 86th General Assembly  
3 Regular Session, 2007

# A Bill

HOUSE BILL 1640

4  
5 By: Representative Schulte  
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## For An Act To Be Entitled

8  
9 AN ACT TO REQUIRE CERTAIN DISCLOSURES ON CREDIT  
10 CARD PROCESSING SERVICE CONTRACTS; TO PROVIDE  
11 PENALTIES FOR FAILURE TO MAKE REQUIRED  
12 DISCLOSURES; AND FOR OTHR PURPOSES.  
13

## Subtitle

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15 TO REQUIRE CERTAIN DISCLOSURES ON CREDIT  
16 CARD PROCESSING SERVICE CONTRACTS AND TO  
17 PROVIDE PENALTIES FOR FAILURE TO MAKE  
18 REQUIRED DISCLOSURES.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code Title 4 is amended to add an additional  
24 chapter to read as follows:

25 4-112-101. Credit card processing service – Required disclosures –  
26 Prohibitions.

27 (a)(1) Any person or entity that offers a credit card processing  
28 service in this state shall disclose the following information on any  
29 contract or agreement to render a credit card processing service:

30 (A) The effective date of the contract;

31 (B) The term of the contract;

32 (C) The amount of any monthly minimum fee or charge for  
33 the credit card processing service; and

34 (D) The amount of any fee or charge for terminating the  
35 contract or agreement.

36 (2) The disclosures required in subsection (a) of this section



1 and any other terms and conditions pertaining to the use of the credit card  
2 processing service shall be printed in ten-point font at a minimum.

3 (b) a person or entity that offers a credit card processing service in  
4 this state shall not charge:

5 (1) A fee of more than fifty dollars (\$50.00) for terminating a  
6 contract for credit card processing service; or

7 (2) A monthly minimum fee under a credit card processing service  
8 contract for more than one (1) month after the credit card processing service  
9 contract is terminated.

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11 4-112-102. Penalty.

12 (a)(1) A violation of the provisions of this chapter by any person or  
13 entity providing credit card processing service shall constitute an unfair  
14 and deceptive act or practice, as defined by § 4-88-101 et seq.

15 (2) All remedies, penalties, and authority granted to the  
16 Attorney General under § 4-88-101 et seq. shall be available to the Attorney  
17 General for the enforcement of this chapter.

18 (b) Nothing in this chapter shall limit the rights or remedies that  
19 are otherwise available to a person or an entity that has contracted with a  
20 credit card processing service.

21 (c) The obligations under this chapter are cumulative and do not limit  
22 the obligations imposed under any other state or federal law.

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