

Senate Amendments to House Bill No. 738

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

6 **SECTION 1.** Section 17-25-1, Mississippi Code of 1972, is
7 amended as follows:

8 17-25-1. The board of supervisors of any county and the
9 governing authorities of any municipality may allow the payment of
10 various taxes, fees and other accounts receivable to the county or
11 municipality by credit cards, charge cards, debit cards and other
12 forms of electronic payment, in accordance with policies
13 established by the State Auditor. Any fees or charges associated
14 with the use of such electronic payments shall be assessed to the
15 user of the electronic payment as an additional charge for
16 processing the electronic payment, so that the user will pay the
17 full cost of using the electronic payment.

18 Counties and municipalities, with the approval of the State
19 Auditor, may bear the full costs of processing such electronic
20 payments if they can demonstrate to the State Auditor's
21 satisfaction that they are able to assume these costs and provide
22 the related service for the same or lesser cost.

23 **SECTION 2.** Section 27-104-33, Mississippi Code of 1972, is
24 amended as follows:

25 27-104-33. The State Department of Finance and
26 Administration shall establish policies that allow the payment of
27 various fees and other accounts receivable to state agencies by
28 credit cards, charge cards, debit cards and other forms of
29 electronic payment in the discretion of the department. Any fees
30 or charges associated with the use of such electronic payments
31 shall be assessed to the user of the electronic payment as an

32 additional charge for processing the electronic payment, so that
33 the user will pay the full cost of using the electronic payment.

34 Agencies, with the approval of the Department of Finance and
35 Administration, may bear the full cost of processing such
36 electronic payments if the agency can demonstrate to the
37 department's satisfaction that they are able to assume these costs
38 and provide the related service for the same or lesser cost.

39 **SECTION 3.** This act shall take effect and be in force from
40 and after July 1, 2005.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTIONS 17-25-1 AND 27-104-33, MISSISSIPPI
2 CODE OF 1972, TO REVISE CERTAIN PROVISIONS REGARDING STATE
3 AGENCIES, COUNTIES AND MUNICIPALITIES ACCEPTING PAYMENTS BY CREDIT
4 CARDS AND OTHER FORMS OF PAYMENT; AND FOR RELATED PURPOSES.

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John O. Gilbert
Secretary of the Senate