

TABLE OF CONTENTS

Payment for License Fees by Credit Card, Charge Card or Debit Card

Payment for license fees by credit card, charge card or debit card. . . . 1-1j-1

Payment for License Fees by Credit Card, Charge Card or Debit Card**Sec. 1-1j-1. Payment for license fees by credit card, charge card or debit card****(a) Definitions.**

(1) “Secretary” means the Secretary of the Office of Policy and Management; and

(2) “Transaction channel” means any method by which a state agency accepts an application for a license, issues a license, or receives payment in return for such license.

(b) Any state agency that desires to accept payment for license fees by means of a credit card, charge card or debit card shall make a written request to the secretary for authorization. An agency’s written request shall include, but is not limited to, the following supporting information:

(1) A list of all current and any proposed payment methods available to license applicants;

(2) Actual data related to the use of all current transaction channels (e.g., in person; by telephone, facsimile, mail; over the Internet) and estimated data related to the use of any proposed transaction channels during the first, second and third years;

(3) The projected number of payments by credit card, charge card and debit card during the first, second and third fiscal years;

(4) The projected dollar amount of any fees imposed by a credit card, charge card or debit card issuer or processor during the first, second and third fiscal years;

(5) If the agency proposes to charge license applicants a service fee for using a credit card, charge card or debit card, an explanation of the service fee’s necessity, an estimate of the service fee’s fiscal impact on license applicants, and a statement certifying that the service fee is:

(A) Related to the cost of service;

(B) Uniform for all credit cards, charge cards or debit cards accepted; and

(C) Allowed by the operating rules and regulations of the credit card, charge card or debit card issuer or processor involved or is authorized in writing by such issuer or processor;

(6) An explanation of any anticipated operational improvements, cost reductions or service enhancements resulting from the acceptance of credit card, charge card or debit card payments;

(7) A statement summarizing any anticipated contractual agreement between the agency and any credit card, charge card or debit card issuer or processor, including any such agreement administered by the Office of the State Treasurer; and

(8) If accepting payment by credit card, charge card or debit card requires the agency to amend any existing agency regulation, a copy of the proposed amendment.

(c) The secretary shall have sixty (60) calendar days to approve, in whole or in part, or disapprove, in whole or in part, an agency’s request. If the secretary disapproves, in whole or in part, an agency’s request, the agency may make a new or amended request to the secretary in accordance with this section. If the secretary does not take action on the agency’s request within the sixty (60) calendar days allowed, the request shall be deemed approved.

(d) During the sixty (60) calendar days allowed for action, the secretary shall forward an agency’s written request to the Department of Information Technology for review for technological sufficiency and to the Office of the State Treasurer for review for consistency with the state’s cash management policies.

(1) The Department of Information Technology or the Office of the State Treasurer or both may submit comments concerning an agency’s written request to the secretary not later than twenty-one (21) calendar days after receipt of the request.

(2) In the event the Department of Information Technology or the Office of the State Treasurer or both require additional information from the requesting agency, either or both shall notify the secretary in writing not later than seven (7) calendar days after receipt of the request.

(3) If the Department of Information Technology does not indicate otherwise within the twenty-one (21) calendar days allowed for review, the agency's request is deemed acceptable to the Department of Information Technology. If the Office of the State Treasurer does not indicate otherwise within the twenty-one (21) calendar days allowed for review, the agency's request is deemed acceptable to the Office of the State Treasurer.

(e) The secretary may disapprove an agency's request, in whole or in part, for any of the following reasons:

(1) The agency's request does not include all the supporting information required under subsection (b) of this section;

(2) The agency's request is deemed technologically insufficient by the Department of Information Technology;

(3) The agency's request is deemed inconsistent with the state's cash management practices by the Office of the State Treasurer;

(4) The projected dollar amount of the fees imposed by the credit, charge, or debit card issuer or processor is deemed to have a negative fiscal impact on the state by the secretary;

(5) The charging of a service fee, when proposed, is deemed to have a negative fiscal impact on license applicants by the secretary; or

(6) The acceptance of credit, charge, or debit card payments will not significantly improve operations, reduce costs, or enhance services within the requesting agency.

(f) In the event an agency wishes to make any change affecting its approved use of credit cards, charge cards or debit cards, such agency shall submit a written request to make such change to the secretary for authorization in accordance with this section.

(g) The secretary may require an agency to report annually on the impact of the acceptance of credit card, charge card or debit card payments for license fees on agency operations, costs, services or other related matters.

(Adopted effective September 27, 2001)