

CHAPTER 443

S.B. No. 1353

An Act relating to a surcharge for use of a credit card; adding Article 1.12 to Chapter 1, Title 79, Revised Statutes (Article 5069-1.01 et seq., Vernon's Texas Civil Statutes).

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 1, Title 79, Revised Statutes (Article 5069-1.01 et seq., Vernon's Texas Civil Statutes), is amended by adding Article 1.12 to read as follows:

"Article 1.12. In a sales transaction for goods or services involving the use of a credit card for an extension of credit, the seller may not impose a surcharge on the buyer because the buyer uses a credit card instead of cash, a check, or similar means of payment."

SECTION 2. This Act applies only to a sales transaction occurring on or after the effective date of this Act. A sales transaction occurring before the effective date of this Act is governed by the law in effect when the transaction occurred, and that law is continued in effect for that purpose.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on May 15, 1985, by the following vote: Yeas 31, Nays 0; Senate concurred in House amendment on May 27, 1985, by the following vote: Yeas 31, Nays 0; passed the House, with amendment, on May 24, 1985, by the following vote: Yeas 147, Nays 1, one present not voting.

Approved: June 11, 1985

Effective: Immediately