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09600HB6062ham001

LRB096 17995 HLH 37516 a

1 AMENDMENT TO HOUSE BILL 6062

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 6062 by replacing  
3 everything from line 19 on page 1 through line 4 on page 2 with  
4 the following:

5 "(b) Beginning on January 1, 2012, subject to compliance  
6 with all applicable purchasing requirements, a county with a  
7 population of more than 3,000,000 is required to accept payment  
8 by credit card for each installment of property taxes; provided  
9 that all service charges or fees, as determined by the county,  
10 associated with the processing or accepting of a credit card  
11 payment by the county shall be paid by the taxpayer. If a  
12 taxpayer elects to make a property tax payment by credit card  
13 and a service charge or fee is imposed, the payment of that  
14 service charge or fee shall be deemed voluntary by the taxpayer  
15 and shall not be refundable. Nothing in this subsection  
16 requires a county with a population of more than 3,000,000 to  
17 accept payment by credit card for the payment on any  
18 installment of taxes that is delinquent under Section 21-10,

1 21-25, or 21-30 of the Property Tax Code or for the purposes of  
2 any tax sale or scavenger sale under Division 3.5, 4, or 5 of  
3 Article 21 of the Property Tax Code. A county that accepts  
4 payment of property taxes by credit card in accordance with the  
5 terms of this subsection shall not incur liability for or  
6 associated with the collection of a property tax payment by  
7 credit card. The public hearing requirement of subsection (a)  
8 of Section 20 of the Local Governmental Acceptance of Credit  
9 Cards Act shall not apply to this subsection. This subsection";  
10 and

11 on page 2, immediately below line 8, by inserting the  
12 following:

13 "Section 7. The Local Government Acceptance of Credit Cards  
14 Act is amended by changing Section 20 as follows:

15 (50 ILCS 345/20)

16 Sec. 20. Election by local governmental entities to accept  
17 credit cards.

18 (a) The decision whether to accept credit card payments for  
19 any particular type of obligation shall be made by the  
20 governing body of the local governmental entity that has  
21 general discretionary authority over the manner of acceptance  
22 of payments. The governing body may adopt reasonable rules  
23 governing the manner of acceptance of payments by credit card.

1 Except as provided in subsection (b) of Section 20-25 of the  
2 Property Tax Code, no ~~No~~ decision to accept credit card  
3 payments under this Act shall be made until the governing body  
4 has determined, following a public hearing held not sooner than  
5 10 nor later than 30 days following public notice of the  
6 hearing, that the acceptance of credit card payments for the  
7 types of authorized obligations specified in the public notice  
8 is in the best interests of the citizens and governmental  
9 administration of the local governmental entity or community  
10 college and of the students and taxpayers thereof.

11 (b) The governing body of the entity accepting payment by  
12 credit card may enter into agreements with one or more  
13 financial institutions or other service providers to  
14 facilitate the acceptance and processing of credit card  
15 payments. Such agreements shall identify the specific services  
16 to be provided, an itemized list of the fees charged, and the  
17 means by which each such fee shall be paid. Such agreements may  
18 include a discount fee to cover the costs of interchange,  
19 assessments and authorizations, a per item processing fee for  
20 the service provider, and any other fee, including a payment of  
21 a surcharge or convenience fee, that may be applicable to  
22 specific circumstances. Any agreement for acceptance of  
23 payments by credit cards may be canceled by the governmental  
24 entity upon giving reasonable notice of intent to cancel.

25 (c) An entity accepting payments by credit card may pay  
26 amounts due a financial institution or other service provider

1 by (i) paying the financial institution or other service  
2 provider upon presentation of an invoice or (ii) allowing the  
3 financial institution or other service provider to withhold the  
4 amount of the fees from the credit card payment. A discount or  
5 processing fee may be authorized whenever the governing body of  
6 the entity determines that any reduction of revenue resulting  
7 from the discount or processing fee will be in the best  
8 interest of the entity. Items that may be considered in making  
9 a determination to authorize the payment of fees or the  
10 acceptance of a discount include, but are not limited to,  
11 improved governmental cash flows, reduction of governmental  
12 overhead, improved governmental financial security, a  
13 combination of these items, and the benefit of increased public  
14 convenience. No payment to or withheld by a financial  
15 institution or other service provider may exceed the amounts  
16 authorized under subsection (b) of Section 25.

17 (d) Unless specifically prohibited by an ordinance or rule  
18 adopted by the governing body of the local governmental entity,  
19 a person may pay multiple tax bills in a single transaction.

20 (Source: P.A. 90-518, eff. 8-22-97.)".