

CHAPTER 236

CONSUMER AND COMMERCIAL TRANSACTIONS

HOUSE BILL 02-1355

BY REPRESENTATIVE(S) Cloer, Boyd, Dean, Grossman, Harvey, Rhodes, Groff, Mace, and Stafford;
also SENATOR(S) Tate, Andrews, Fitz-Gerald, and Tupa.

AN ACT

**CONCERNING WHETHER CERTAIN BUSINESS PRACTICES VIOLATE THE PROHIBITION UPON CHARGING
A HIGHER PRICE BASED ON THE CUSTOMER'S USE OF A CREDIT CARD RATHER THAN OTHER
FORMS OF PAYMENT.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 12-52-111, Colorado Revised Statutes, is amended to read:

12-52-111. Multiple locations. (1) Each licensee may conduct business at such locations within this state as such licensee may desire and through such agents and subagents as such licensee may from time to time appoint. Each licensee shall notify the banking board within ten days, by certified mail, of any increase in the number of locations at which it conducts its business and shall provide proof that the bond or securities required have been increased accordingly.

(2) EACH LICENSEE MAY, WITHOUT VIOLATING SECTION 5-2-212, C.R.S., NOTWITHSTANDING WHETHER OR NOT A FACILITY OR MODE ONLY ACCEPTS CREDIT CARDS, CONDUCT BUSINESS THROUGH PHYSICAL AND ELECTRONIC FACILITIES, INCLUDING BY TELEPHONE AND INTERNET, AND MAY CHARGE A DIFFERENT PRICE FOR THE PROVISION OF SERVICES BASED UPON THE TYPE OF FACILITY OR MODE OF SERVICES USED IN SUCH TRANSACTION SO LONG AS THE PRICE FOR SUCH SERVICE WITHIN A SINGLE SUCH FACILITY OR MODE IS NOT GREATER FOR A CREDIT CARD THAN FOR OTHER FORMS OF PAYMENT.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: May 30, 2002