

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE
Revised

House Bill 282

(Delegates Bozman and Conway)

Environmental Matters

Judicial Proceedings

Real Property - Homeowners Associations - Electronic Payment Fees

This bill authorizes a homeowners association to require a person to pay a reasonable electronic payment fee if the person elects to pay by credit or debit card. The fee may not exceed the amount of a fee charged to the association in connection with the use of the credit or debit card. If the association elects to charge a fee under the bill, the association must specify on or include notice with each bill and other invoices for which electronic payment is authorized that a fee will be charged.

Fiscal Summary

State Effect: None. The bill would not directly affect governmental finances or operations.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: No provision specifically governs acceptance of electronic payments or fees associated with them by a homeowners association.

Background: The clerks of the circuit courts are designated as depositories of information to be made available to the public about homeowners associations, including disclosures made by homeowners associations.

A county or municipal corporation may allow taxes, fees, or charges to be paid with a credit or debit card. A county or municipal corporation may add a service charge to the amount to be paid. The service charge may not exceed the amount paid by the county or municipal corporation to accept the card and must be charged at the time the card is used. A county or municipal corporation must provide a notice with the invoice for which payment by credit or debit card is authorized. The notice must state that the card may be used, the types of cards that may be used, and whether a service charge will be added when a card is used.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Office of the Attorney General (Consumer Protection Division),
Department of Legislative Services

Fiscal Note History: First Reader - February 1, 2005
ncs/jr Revised - House Third Reader - March 31, 2005

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