

**SUBJECT:** Repealing prohibition on credit card surcharge

**COMMITTEE:** Business and Industry — favorable, without amendment

**VOTE:** 9 ayes — C. Turner, Hefner, Cain, Crockett, Lambert, Ordaz Perez,  
Patterson, Shine, S. Thompson

0 nays

**WITNESSES:** For — (*Registered, but did not testify:* Annie Spilman, NFIB; Darren  
Whitehurst, Texas Automobile Dealers Association; Thomas Parkinson)

Against — None

**BACKGROUND:** Business and Commerce Code sec. 604A.0021 prohibits a person selling goods or services from imposing a surcharge on a buyer who uses a credit card for an extension of credit instead of cash, a check, or a similar means of payment.

**DIGEST:** HB 3941 would repeal the prohibition on a seller from imposing a surcharge on a buyer who uses a credit card for an extension of credit instead of cash, a check, or similar means of payment. The bill would make conforming changes to statutes that referenced the prohibition.

The bill would take effect September 1, 2021.