

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 13
Committee Substitute Favorable 4/29/25
Committee Substitute #2 Favorable 6/24/25
Committee Substitute #3 Favorable 9/23/25

Short Title: Charges for Credit & Charge Cards.

(Public)

Sponsors:

Referred to:

January 30, 2025

A BILL TO BE ENTITLED
AN ACT TO REGULATE THE AMOUNT A MERCHANT MAY CHARGE CUSTOMERS
FOR PAYMENTS BY CREDIT CARD OR CHARGE CARD AND TO INCREASE THE
FEE PAID TO THE SECRETARY OF STATE FOR FILING ARTICLES OF
INCORPORATION UNDER THE NORTH CAROLINA NONPROFIT CORPORATION
ACT.

The General Assembly of North Carolina enacts:

SECTION 1. Article 13 of Chapter 66 of the General Statutes is amended by adding
a new section to read:

"§ 66-67.10. Charges for payments by credit card or charge card.

(a) In this section, the following definitions apply:

(1) Merchant. – A person that engages in the business of selling goods or services
at retail.

(2) Payment card entity. – An entity involved in facilitating or processing an
electronic transfer of funds between a merchant and a customer using a credit
card or charge card.

(b) A merchant operating in this State shall not impose a charge for payments by credit
card or charge card that is more than two percent (2%) of the total transaction. If a merchant
operating in this State advertises that it accepts payments by credit card or charge card and
imposes a charge for these payments, the merchant shall clearly and conspicuously disclose at
the point of entry and the point of sale for in-person transactions and the homepage and webpage
for online transactions the amount of the charge. Notice, including all required information, shall
be verbally disclosed to the customer for transactions processed over the phone.

(c) A merchant may offer discounts for the purpose of inducing payment by cash, check,
or other means not involving the use of a credit card or charge card, provided that the discount is
offered to all prospective customers and its availability is disclosed to all prospective customers
clearly and conspicuously.

(d) A merchant shall not charge for use of a credit card or charge card in lieu of another
means of payment if at the time of transaction only credit cards or charge cards are accepted as
payment by that merchant.

(e) The Secretary of Commerce may assess a civil penalty against a merchant for a
violation of this section. A merchant who violates this section is subject to a penalty of up to five
hundred dollars (\$500.00) per violation. A merchant who receives a citation for a first violation
of this section is not subject to the penalty provided in this subsection if the merchant establishes



1 to the Secretary of Commerce that the merchant came into compliance with this section within
2 30 days of the issuance of the citation, has compensated affected consumers, and the merchant
3 has remained in compliance with this section. The clear proceeds of civil penalties imposed
4 pursuant to this subsection shall be remitted to the Civil Penalty and Forfeiture Fund in
5 accordance with G.S. 115C-457.2."

6 **SECTION 2.** G.S. 55A-1-22 reads as rewritten:

7 **"§ 55A-1-22. Filing, service, and copying fees.**

8 (a) The Secretary of State shall collect the following fees when the documents described
9 in this subsection are delivered to the Secretary for filing:

	Document	Fee
10		
11		
12	(1) Articles of incorporation	\$60.00 \$65.00
13	"	

14 **SECTION 3.** Section 1 of this act becomes effective January 1, 2026, and applies to
15 payments made on or after that date. The remainder of this act is effective when it becomes law.