

## NOTICE OF RULE MAKING

Pursuant to the power vested in me as Commissioner of Finance by Sections 1043 and 1054 of the New York City Charter, I hereby promulgate the amendment to rules governing the fee to be charged for accepting credit and debit cards in order to eliminate the fee for payment of bail.

**Jacques Jiha Commissioner of Finance**

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### STATEMENT OF BASIS AND PURPOSE

In 2013, the Department of Finance (DOF) adopted rules establishing a consistent policy for accepting credit card payments and a uniform administrative fee of 2.49% to defray the cost incurred by the City from credit card transactions. In 2018, DOF reduced the uniform administrative fee to 2%, which will continue to cover the cost incurred by the City in connection with such credit card transactions.

On May 10, 2019, Local Law 89 of 2019 amended Section 9-148 of the Administrative Code of the City of New York to eliminate the uniform administrative fee for payments of bail unless the chief administrator of the courts requires a party making a payment of bail to pay a reasonable administrative fee. The effective date for the elimination of this administrative fee is November 10, 2019.

The proposed rule adds bail payments to the list of payments for which an administrative fee cannot be charged.

Matter underlined is new. Matter in brackets [ ] is to be deleted.

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department unless otherwise specified or unless the context clearly indicates otherwise.

### AMENDMENT TO RULES RELATING TO THE FEE FOR CREDIT CARD TRANSACTIONS

Section 1. Subdivision (d) of section 9-02 of Chapter 9 of Title 19 of the Rules of the City of New York is amended by adding a new paragraph (9) to read as follows:

(9) for payment of bail, unless the chief administrator of the courts requires a party making a payment of bail to pay a reasonable administrative fee.

§ 2. This rule shall take effect on November 10, 2019.