

Public Law 94-222
94th Congress

An Act

To extend the State Taxation of Depositories Act.

Feb. 27, 1976

[S. 2672]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of the State Taxation of Depositories Act (section 7(c) of Public Law 93-100) is amended by striking out "January 1, 1976" and inserting in lieu thereof "September 12, 1976".

State taxation of
depositories.
Extension.
12 USC 548 note.

SEC. 2. Section 2(a) of Public Law 93-100 (12 U.S.C. 1832(a)) is amended by inserting after "Massachusetts" a comma and the following: "Connecticut, Rhode Island, Maine, Vermont,".

SEC. 3. (a) Section 103 of the Truth in Lending Act (15 U.S.C. 1602) is amended by redesignating subsections (p), (q), and (r) as subsections (r), (s), and (t), respectively, and by adding after subsection (o) the following:

"(p) The term 'discount' as used in section 167 means a reduction made from the regular price. The term 'discount' as used in section 167 shall not mean a surcharge.

"Discount."
15 USC 1666f.

"(q) The term 'surcharge' as used in section 103 and section 167 means any means of increasing the regular price to a cardholder which is not imposed upon customers paying by cash, check, or similar means."

"Surcharge."

(b) Section 130(f) of the Truth in Lending Act (15 U.S.C. 1640(f)) is amended to read as follows:

"(f) No provision of this section or section 112 imposing any liability shall apply to any act done or omitted in good faith in conformity with any rule, regulation, or interpretation thereof by the Board or in conformity with any interpretation or approval by an official or employee of the Federal Reserve System duly authorized by the Board to issue such interpretations or approvals under such procedures as the Board may prescribe therefor, notwithstanding that after such act or omission has occurred, such rule, regulation, interpretation, or approval is amended, rescinded, or determined by judicial or other authority to be invalid for any reason."

15 USC 1611.

(c) (1) Section 167(a) of the Truth in Lending Act (15 U.S.C. 1666f) is amended by inserting "(1)" immediately after "(a)" and by adding at the end thereof the following new paragraph:

"(2) No seller in any sales transaction may impose a surcharge on a cardholder who elects to use a credit card in lieu of payment by cash, check, or similar means."

Credit card
surcharge,
prohibition.

(2) The amendment made by paragraph (1) shall cease to be effective upon the expiration of three years after the date of enactment of this Act.

Expiration date.
15 USC 1666f
note.

(d) Section 171 of the Truth in Lending Act (15 U.S.C. 1666j) is amended by adding at the end thereof the following new subsection:

"(c) Notwithstanding any other provisions of this title, any discount offered under section 167(b) of this title shall not be considered a finance charge or other charge for credit under the usury laws of any State or under the laws of any State relating to disclosure of information in connection with credit transactions, or relating to the types, amounts or rates of charges, or to any element or elements of charges permissible under such laws in connection with the extension or use of credit."

Effective date.
12 USC 548 note.

Sec. 4. The first section of the Act takes effect on January 1, 1976.

Approved February 27, 1976.

LEGISLATIVE HISTORY:

SENATE REPORT No. 94-472 (Comm. on Banking, Housing and Urban Affairs).
CONGRESSIONAL RECORD:

Vol. 121 (1975): Dec. 8, considered and passed Senate.

Dec. 16, considered and passed House, amended.

Vol. 122 (1976): Feb. 6, Senate concurred in House amendment with amendments.

Feb. 9, House agreed to Senate amendments.