



KANSAS
Retail Council

**Senate Committee on Assessment and Taxation
Testimony in Support of HB 2316
Presented by Eric Stafford, Vice President of Government Affairs**

Thursday, January 20, 2022

Madam Chair and members of the committee, my name is Eric Stafford, Vice President of Government Affairs for the Kansas Chamber. The Kansas Chamber represents small, medium and large businesses of all industry segments across the state. We also serve as the state's affiliate for the National Retail Federation through the Kansas Retail Council. The Kansas Retail Council (KRC) focuses on retail business issues and gives Kansas retailers a unified voice on legislative and public policy matters.

We appreciate the opportunity to testify in support of House Bill 2316, a bill that eliminates the prohibition of a surcharge when purchases are made with a credit or debit card.

Kansas is one of four states to still have such a prohibition on the books and is one that is important for our retail members. In a U.S. Supreme Court decision *Expressions Hair Design v Schneiderman*, the Court ruled to vacate the states surcharge prohibition similar to Kansas. This opened up the opportunity for credit card surcharging in New York, California, Florida, Texas, Maine and Oklahoma. The Oklahoma AG issued an opinion stating their law would not survive scrutiny following the Supreme Court's decision.

We believe this is a simple bill cleaning up Kansas statutes. Thank you for the opportunity to testify in support of HB 2316, and I am happy to answer any questions at the appropriate time.