

Governor Phil Murphy

# Governor Murphy Signs Legislation to Safeguard New Jersey Consumers Against Unfair Credit Card Surcharges

08/18/2023

**TRENTON** – Governor Phil Murphy today signed A4284/S3508, which prohibits sellers from imposing certain surcharges for credit card transactions and establishes certain notice requirements regarding surcharges. The legislation builds upon the Murphy Administration’s efforts to protect New Jersey consumers by improving transparency and curtailing unfair practices that disproportionately burden low- and moderate-income New Jerseyans.

“As our post-pandemic economy continues to grow and evolve, we too must adapt to best safeguard New Jersey consumers against unfair practices,” **said Governor Murphy**. “All residents and visitors doing business in New Jersey deserve the utmost transparency with respect to their transactions, especially given the affordability challenges experienced by our low- and moderate-income families. Today’s legislation marks yet another step New Jersey is taking to ease those pressures and put well-earned money back in the pockets of hardworking New Jerseyans.”

“I thank Governor Murphy and our legislators for expanding protections for New Jersey’s consumers,” **said Cari Fais, Acting Director of the Division of Consumer Affairs**. “This law provides consumers with greater price transparency and allows the Division to take action against merchants that use credit card surcharges to make a profit.”

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"No one likes to be hit with a surprise credit card fee, which can be stressful and expensive," **said Assemblyman Paul Moriarty**. "Now consumers will learn about credit card surcharges before they complete a transaction, which will help them make an informed decision about choosing their method of payment."

"These fees are more than just a nuisance, they can create financial hardships for consumers," **said Assemblywoman Sadaf Jaffer**. "I am pleased to see these new protections put into place."

"Eliminating surprise swipe fees and putting limits on surcharges will go a long way to protect consumers," **said Assemblywoman Lisa Swain**. "We want to make sure consumers have all the information they need when making their daily financial decisions."

"It seems in recent months credit card surcharges have been popping up all over the place with no consistency of what to expect from business to business. This law will ensure that sellers are only passing on the processing fees that they are charged rather than making a profit on someone using a card over cash," **said Senator Gordon Johnson**. "So few people carry cash anymore, and we understand these processing fees can be burdensome for businesses, but we also don't want them taking advantage of the situation."

"Tacking on extra surcharge fees for credit card use, fees that often go unnoticed by the consumer, is an unconscionable practice that affects many New Jerseyans, who are using their credit cards more and more frequently in the wake of the pandemic," **said Senator Nellie Pou**. "This law will bring greater transparency and safeguard residents from this unfair practice, one that no doubt has affected low-income residents most harshly of all."

"Restaurant and hospitality businesses take great pride in providing consumers with exceptional customer service, including transparency, when it comes to the cost of goods and services," **said NJ Restaurant and Hospitality Association CEO Dana Lancellotti**. "Surcharge fees, while not new, have become prevalent in many industries as a way for businesses to recoup – not profit off of – some of the exorbitant fees placed on credit card transactions by credit card processing companies. The New Jersey Restaurant and Hospitality Association, along with our counterparts across the nation, support federal legislation that would create competition among credit card processing companies in hopes to drive down these fees to benefit both businesses and consumers. We appreciate Senator Johnson and Assemblyman Moriarty for sponsoring this bill to protect New Jersey consumers."

"Unfair credit card fees add to the stresses that New Jersey families face as they struggle to make ends meet," **said Beverly Brown Ruggia, New Jersey Citizen**

**Action Financial Justice Program Director.** “New Jersey Citizen Action applauds the bill sponsors and Governor Murphy for taking action to protect New Jersey consumers who are inundated with junk fees attached to everyday financial transactions and purchases.”

## Governor Phil Murphy

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