

# HOUSE BILL No. 1215

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 24-5-28.1.

**Synopsis:** Regulation of interchange fees. Prohibits a payment card network from taking certain actions with respect to electronic payment transactions. Prohibits a payment card network from establishing, putting forward, or implementing a fee schedule that the payment card network knows or reasonably should know has been used by at least one issuer other than the payment card network to determine the amount of an interchange fee received or charged with respect to a charitable contribution, unless the interchange fee does not exceed certain amounts. Provides that a person that alleges damages arising from a payment card network's violation of certain provisions has a cause of action against the payment card network.

**Effective:** July 1, 2026.

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## Shonkwiler

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January 5, 2026, read first time and referred to Committee on Financial Institutions.

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Introduced

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

## HOUSE BILL No. 1215

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A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 24-5-28.1 IS ADDED TO THE INDIANA CODE  
2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2026]:

4 **Chapter 28.1. Regulation of Payment Card Networks**

5 **Sec. 1. As used in this chapter, "acquirer bank" means a**  
6 **member of a payment card network that contracts with a**  
7 **merchant, either directly or indirectly through a processor, for the**  
8 **settlement of an electronic payment transaction.**

9 **Sec. 2. As used in this chapter, "authorization" means the**  
10 **process through which a merchant requests approval for an**  
11 **electronic payment transaction from the issuer.**

12 **Sec. 3. As used in this chapter, "bad faith" means conduct that:**

13 **(1) is fraudulent, willful, knowing, or intentional; and**  
14 **(2) causes injury.**

15 **Sec. 4. As used in this chapter, "charitable contribution" has the**  
16 **meaning set forth in 26 U.S.C. 170(c), as in effect on July 1, 2026.**

17 **Sec. 5. As used in this chapter, "clearance" means the process**



1       **of transmitting final transaction data from a merchant to an issuer**  
2       **for posting to a person's account and the calculation of fees and**  
3       **charges, including interchange fees, that apply to the issuer and the**  
4       **merchant.**

5       **Sec. 6. As used in this chapter, "covered credit card issuer"**  
6       **means an issuer of a credit card that, at any point in time in the**  
7       **previous calendar year, held consolidated worldwide banking and**  
8       **nonbanking assets, including assets of affiliates other than trust**  
9       **assets under management, in an amount greater than fifty billion**  
10       **dollars (\$50,000,000,000).**

11       **Sec. 7. As used in this chapter, "credit card" has the meaning**  
12       **set forth in IC 24-5-27.5-3.**

13       **Sec. 8. As used in this chapter, "debit card" has the meaning set**  
14       **forth in IC 24-5-27.5-4.**

15       **Sec. 9. As used in this chapter, "electronic payment transaction"**  
16       **means a transaction in which a person uses a debit card, credit**  
17       **card, or other payment code or device issued or approved through**  
18       **a payment card network to debit a deposit account or use a line of**  
19       **credit.**

20       **Sec. 10. As used in this chapter, "fee schedule" means a**  
21       **schedule, list, table, chart, agreement, communication, or any other**  
22       **document, whether publicly available or not, that sets forth the**  
23       **amount of at least one (1) fee or a formula for determining at least**  
24       **one (1) fee.**

25       **Sec. 11. As used in this chapter, "interchange fee" means a fee**  
26       **established, charged, or received by a payment card network for**  
27       **the purpose of compensating the issuer for the issuer's involvement**  
28       **in an electronic payment transaction.**

29       **Sec. 12. As used in this chapter, "issuer" means a person that**  
30       **issues a debit card or credit card or an agent of a person that issues**  
31       **a debit card or credit card.**

32       **Sec. 13. As used in this chapter, "merchant" means a person that**  
33       **accepts electronic payment transactions and collects and**  
34       **remit a tax or regulatory fee.**

35       **Sec. 14. As used in this chapter, "payment card network" means**  
36       **a person to which the following apply:**

37       **(1) The person, directly or through licensed members,**  
38       **processors, or agents, provides the proprietary services,**  
39       **infrastructure, and software to route information and data**  
40       **for the purpose of conducting electronic payment transaction**  
41       **authorization, clearance, and settlement.**

42       **(2) A merchant uses the person to accept as a form of**



1                   **payment a brand of debit card, credit card, or other payment**  
2                   **code or device that may be used to carry out electronic**  
3                   **payment transactions.**

4                   **Sec. 15.** As used in this chapter, "person" means a natural  
5                   person, limited liability company, corporation, business trust,  
6                   estate, trust, partnership, association, joint venture, government,  
7                   governmental subdivision or agency, or any other legal or  
8                   commercial entity.

9                   **Sec. 16.** As used in this chapter, "processor" means a person  
10                  that facilitates, services, processes, or manages the debit or credit  
11                  authorization, billing, transfer, payment procedures, or settlement  
12                  with respect to any electronic payment transaction.

13                  **Sec. 17.** As used in this chapter, "regulatory fee" means a fee,  
14                  assessment, or charge imposed by the state or a political  
15                  subdivision (as defined in IC 3-5-2.1-79).

16                  **Sec. 18.** As used in this chapter, "settlement" means the process  
17                  of transmitting sales information to the issuer for collection and  
18                  reimbursement of funds to the merchant and calculating and  
19                  reporting the net transaction amount to the issuer and merchant  
20                  for a cleared electronic payment transaction.

21                  **Sec. 19.** As used in this chapter, "tax" means any:

- 22                   (1) use tax, including the use tax imposed under IC 6-2.5;
- 23                   (2) sales tax, including the state gross retail tax imposed under  
24                   IC 6-2.5;
- 25                   (3) occupation tax; or
- 26                   (4) excise tax;

27                  **that is imposed by the state or a political subdivision (as defined in**  
28                  **IC 3-5-2.1-79).**

29                  **Sec. 20.** As used in this chapter, "transaction data" includes  
30                  information regarding:

- 31                   (1) items purchased by a person;
- 32                   (2) the price for each item;
- 33                   (3) a taxability determination for each item;
- 34                   (4) a segregated tax amount for each of the taxed items;
- 35                   (5) a segregated regulatory fee amount applicable to the  
36                   transaction or to any item included in the transaction;
- 37                   (6) the amount of cash or credit tendered;
- 38                   (7) the net amount returned to the customer in change;
- 39                   (8) the date and time of the purchase;
- 40                   (9) the name, address, and identification number of the  
41                   vendor; and
- 42                   (10) the receipt or invoice number of the transaction.



1           **Sec. 21. A payment card network, whether directly or through**  
2           **an agent, an acquirer bank, a processor, a contract, a requirement,**  
3           **a condition, a technological specification, or an inducement, shall**  
4           **not do any of the following:**

5           **(1) Fix or conspire to fix an interchange fee with, or on behalf**  
6           **of, a covered credit card issuer or another payment card**  
7           **network.**

8           **(2) Establish, put forward, or implement a fee schedule that**  
9           **the payment card network knows, or reasonably should know,**  
10           **has been used by a covered credit card issuer other than the**  
11           **payment card network to determine the amount of an**  
12           **interchange fee charged or received by the covered credit**  
13           **card issuer in the current or previous calendar year.**

14           **(3) Establish, charge, or put forward on a fee schedule, an**  
15           **interchange fee if the following apply:**

16           **(A) The fee is or includes a percentage multiplied by the**  
17           **gross dollar amount of an electronic payment transaction.**

18           **(B) The fee does not exclude from the gross dollar amount**  
19           **of the electronic payment transaction, any amount**  
20           **attributable to a tax exempt product, tax, regulatory fee, or**  
21           **gratuity associated with the electronic payment**  
22           **transaction.**

23           **(4) Increase the rate or amount of fees that apply to an**  
24           **electronic payment transaction other than on any amount**  
25           **attributable to a tax, gratuity, or regulatory fee associated**  
26           **with the electronic payment transaction.**

27           **(5) Require a merchant that accepts credit cards that are**  
28           **enabled for processing over the payment card network to**  
29           **accept all credit cards issued by a covered credit card issuer**  
30           **that are enabled for processing over the payment card**  
31           **network.**

32           **(6) Distribute, publish, or otherwise use transaction data from**  
33           **an electronic payment transaction, except to do any of the**  
34           **following:**

35           **(A) Process the electronic payment transaction.**

36           **(B) Monitor for, detect, or prevent fraud.**

37           **(C) Support loyalty programs, reward programs, or**  
38           **promotional offers.**

39           **(D) Tailor products and services to serve the needs of**  
40           **consumers.**

41           **(E) Comply with the laws of Indiana or federal law.**

42           **(7) Charge a fee to a person or merchant related to a disputed**



1 transaction in which the person used a credit card, until:

2 (A) a determination as to whether the person or the  
 3 merchant is responsible for the disputed transaction has  
 4 been made; and

5 (B) the person or the merchant, whichever is determined  
 6 to be responsible for the disputed transaction under clause  
 7 (A), has been provided written notice of the determination.

8 (8) Penalize a merchant for setting prices in a manner that  
 9 complies with the laws of Indiana and federal law.

10 Sec. 22. A payment card network, whether directly or through  
 11 an agent, an acquirer bank, a processor, a contract, a requirement,  
 12 a condition, a technological specification, or an inducement, shall  
 13 not establish, put forward, or implement a fee schedule that the  
 14 payment network knows or reasonably should know has been used  
 15 by at least one (1) issuer other than the payment card network to  
 16 determine the amount of an interchange fee received or charged  
 17 with respect to a charitable contribution, unless the interchange fee  
 18 does not exceed either of the following:

19 (1) For a charitable contribution made by means of a debit  
 20 card, two-tenths of one percent (0.2%).

21 (2) For a charitable contribution made by means of a credit  
 22 card, three-tenths of one percent (0.3%).

23 Sec. 23. (a) A person that alleges damages arising from a  
 24 payment card network's violation of section 21 or 22 of this  
 25 chapter has a cause of action against the payment card network.

26 (b) A person that brings an action under this section may seek  
 27 any of the following forms of relief:

28 (1) The greatest of the following that are applicable:

29 (A) Actual damages, including prejudgment interest of  
 30 eight percent (8%) per year from the date the cause of  
 31 action accrued.

32 (B) Five hundred dollars (\$500).

33 (C) Three (3) times the amount of actual damages  
 34 sustained by the person, if it is established by clear and  
 35 convincing evidence that the payment card network  
 36 engaged in bad faith.

37 (2) Reasonable attorney's fees and costs.

38 (c) If an action under this section is certified as a class action, a  
 39 plaintiff who prevails in an action under this section may:

40 (1) recover actual damages;

41 (2) be awarded injunctive relief; and

42 (3) may be awarded reasonable attorney's fees and costs.



1                   **(d) A person that brings an action under this section that is**  
2                   **found by a court of competent jurisdiction to be frivolous,**  
3                   **groundless, and in bad faith, or for the purpose of harassment, is**  
4                   **liable to the defendant for the costs of the action and reasonable**  
5                   **attorney's fees.**

