

2022 -- H 7434

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

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A N A C T

RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS --
CREDIT CARD LENDING

Introduced By: Representatives Barros, Solomon, Kennedy, and Alzate

Date Introduced: February 11, 2022

Referred To: House Corporations

It is enacted by the General Assembly as follows:

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2 SECTION 1. Section 6-26.1-1 of the General Laws in Chapter 6-26.1 entitled "Credit Card
3 Lending" is hereby amended to read as follows:

4 **6-26.1-1. Definitions.**

5 For purposes of this chapter, the following definitions shall apply:

6 (1) "Credit card device" includes any means of making a credit card transaction available
7 to a borrower pursuant to a credit card plan, including, but not limited to, a card, draft or check,
8 identification code, other means of identification, or other credit device or code, whether made
9 directly or indirectly by means of telephone, point of sale terminal, automated teller machine,
10 computer or other electronic or other communication or device, or through the mail.

11 (2) "Credit card lender" or "lender" means any entity that is a lending institution as defined
12 by § 19-9-1, or licensee as defined by § 19-14-1, that offers or extends credit in the form of a credit
13 card transaction.

14 (3) "Credit card transaction" means any loan or extension of credit made pursuant to a
15 credit card plan. Without limitation of the foregoing, a credit card transaction may be extended
16 under a credit card plan by a credit card lender's acquisition of obligations arising out of the
17 honoring by a merchant or other third-party; a credit card lender or other financial institution
18 (whether chartered or organized under the laws of this or any other state, the District of Columbia,

1 the United States or any district, territory or possession of the United States, or any foreign country);
2 or a government or governmental subdivision or agency of a credit card device.

3 (4) "Credit card plan" or "plan" means any arrangement or plan between a borrower and a
4 credit card lender or issuer, including, without limitation, lines of credit directly between a borrower
5 and a credit card lender or issuer, for open-end, revolving extensions of credit made available
6 through a credit card device or other means of settlement between the credit card lender or issuer
7 and the merchant, such as ACH or electronic-only credit card devices, provided, however, said
8 "credit card plan" or "plan" does not include an extension of credit the repayment of which is
9 secured by real property.

10 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS --
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1 This act would modernize the Rhode Island credit card lending statute by amending the
2 definition of "credit card plan" to keep up with new technology and online purchasing and expressly
3 allow merchants to continue to assist consumers with digital payment options.

4 This act would take effect upon passage.

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