

BUSINESS AND COMMERCE CODE
TITLE 5. REGULATION OF BUSINESSES AND SERVICES
SUBTITLE C. BUSINESS OPERATIONS
CHAPTER 111. PRIVATE SCHOOLS

Sec. 111.001. DEFINITIONS. In this chapter:

(1) "Cardholder" means the person named on the face of a credit or debit card to whom or for whose benefit the card is issued.

(2) "Credit card" means a card or device issued under an agreement by which the issuer gives to a cardholder the right to obtain credit from the issuer or another person.

(3) "Debit card" has the meaning assigned by Section [502.001](#).

(4) "Private school" means a school that:

(A) offers a course of instruction for students in one or more grades from prekindergarten through grade 12;

(B) is not operated by a governmental entity; and

(C) is accredited by an accrediting agency that is a member of the Texas Private School Accreditation Commission.

Added by Acts 2015, 84th Leg., R.S., Ch. 357 (H.B. [1881](#)), Sec. 1, eff. June 9, 2015.

Sec. 111.002. CHARGES AND FEES FOR CERTAIN PAYMENTS AT PRIVATE SCHOOLS. (a) This section applies to a payment of tuition, a fee, or another charge to a private school that is made or authorized in person, by mail, by telephone call, or through the Internet by means of:

(1) a credit card;

(2) a debit card; or

(3) an electronic funds transfer.

(b) A private school may charge a fee or other amount in connection with a payment to which this section applies, in addition to the amount of the tuition, fee, or other charge being paid, including:

(1) a discount, convenience, or service charge for the transaction; or

(2) a service charge in connection with a payment transaction that is dishonored or refused for lack of funds or insufficient funds.

(c) A fee or other charge under this section must be in an amount reasonable and necessary to reimburse the school for the expense incurred by the school in processing and handling the payment or payment transaction.

(d) Before accepting a payment by credit card, debit card, or electronic funds transfer, the school shall notify the cardholder or other person making the payment of any fee to be charged under this section.

Added by Acts 2015, 84th Leg., R.S., Ch. 357 (H.B. [1881](#)), Sec. 1, eff. June 9, 2015.