

AMENDED IN ASSEMBLY APRIL 5, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2244

Introduced by Assembly Member Gatto

February 18, 2016

An act to amend ~~Section~~ *Sections 1010.6 and 1033.5* of the Code of Civil Procedure, and to amend Section 6159 of the Government Code, relating to court fees.

LEGISLATIVE COUNSEL'S DIGEST

AB 2244, as amended, Gatto. Court fees: electronic filing.

Existing law authorizes the electronic service of documents in accordance with uniform rules adopted by the Judicial Council, as specified. Upon Judicial Council adoption of the uniform rules, existing law authorizes a superior court, by local rule, to require mandatory electronic filing and service of documents for specified civil actions in accordance with certain requirements including a requirement that any fees charged by the court do not exceed the actual cost of electronic filing and service of documents.

This bill would add the additional requirement that fees to process a payment that is charged by the court, an electronic filing manager, or an electronic filing service provider, not exceed the actual costs incurred for processing the payment. The bill would require waiver of fees to process a payment if the court deems waiver appropriate.

Existing law authorizes a court, subject to Judicial Council approval, to accept a credit card, debit card, or electronic funds transfer in payment of designated obligations, including filing fees and other court costs. Existing law authorizes a court, subject to Judicial Council approval, to impose a fee for the use of a credit or debit card or electronic funds

transfer, not to exceed the costs incurred by the court in providing for payment by credit or debit card or electronic funds transfer.

This bill would additionally authorize an agent of the court to impose a fee, subject to Judicial Council approval, for the use of a credit or debit card or electronic funds transfer, not to exceed the costs incurred by the court in providing for payment by credit or debit card or electronic funds transfer. *For purposes of this provision, the bill would deem an electronic filing service provider who is required to collect and remit funds in order to complete an electronic filing transaction to be an agent of the court. The bill would prohibit an electronic filing service provider from collecting or attempting to collect a fee to complete an electronic filing transaction from a party who is exempt from paying fees but would still require the electronic filing service provider to complete the filing. The bill would also prohibit a court or specified entities contracting with a court from requiring an electronic filing service provider to use any single method of payment, as specified.*

Existing law also enumerates costs that a prevailing party may recover in a civil action.

This bill would authorize a prevailing party to recover electronic filing service provider fees as costs, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1010.6 of the Code of Civil Procedure is
2 amended to read:

3 1010.6. (a) A document may be served electronically in an
4 action filed with the court as provided in this section, in accordance
5 with rules adopted pursuant to subdivision (e).

6 (1) For purposes of this section:

7 (A) “Electronic service” means service of a document, on a
8 party or other person, by either electronic transmission or electronic
9 notification. Electronic service may be performed directly by a
10 party, by an agent of a party, including the party’s attorney, or
11 through an electronic filing service provider.

12 (B) “Electronic transmission” means the transmission of a
13 document by electronic means to the electronic service address at
14 or through which a party or other person has authorized electronic
15 service.

1 (C) “Electronic notification” means the notification of the party
2 or other person that a document is served by sending an electronic
3 message to the electronic address at or through which the party or
4 other person has authorized electronic service, specifying the exact
5 name of the document served, and providing a hyperlink at which
6 the served document may be viewed and downloaded.

7 (2) If a document may be served by mail, express mail, overnight
8 delivery, or facsimile transmission, electronic service of the
9 document is authorized when a party has agreed to accept service
10 electronically in that action.

11 (3) In any action in which a party has agreed to accept electronic
12 service under paragraph (2), or in which the court has ordered
13 electronic service under subdivision (c) or (d), the court may
14 electronically serve any document issued by the court that is not
15 required to be personally served in the same manner that parties
16 electronically serve documents. The electronic service of
17 documents by the court shall have the same legal effect as service
18 by mail, except as provided in paragraph (4).

19 (4) (A) Electronic service of a document is complete at the
20 time of the electronic transmission of the document or at the time
21 that the electronic notification of service of the document is sent.
22 However, any period of notice, or any right or duty to do any act
23 or make any response within any period or on a date certain after
24 the service of the document, which time period or date is prescribed
25 by statute or rule of court, shall be extended after service by
26 electronic means by two court days, but the extension shall not
27 apply to extend the time for filing any of the following:

28 ~~(A)~~

29 (i) A notice of intention to move for new trial.

30 ~~(B)~~

31 (ii) A notice of intention to move to vacate judgment under
32 Section 663a.

33 ~~(C)~~

34 (iii) A notice of appeal.

35 ~~This~~

36 (B) *This* extension applies in the absence of a specific exception
37 provided by any other statute or rule of court.

38 (b) A trial court may adopt local rules permitting electronic
39 filing of documents, subject to rules adopted pursuant to
40 subdivision (e) and the following conditions:

1 (1) A document that is filed electronically shall have the same
2 legal effect as an original paper document.

3 (2) (A) When a document to be filed requires the signature, not
4 under penalty of perjury, of an attorney or a self-represented party,
5 the document shall be deemed to have been signed by that attorney
6 or self-represented party if filed electronically.

7 (B) When a document to be filed requires the signature, under
8 penalty of perjury, of any person, the document shall be deemed
9 to have been signed by that person if filed electronically and if a
10 printed form of the document has been signed by that person ~~prior~~
11 ~~to~~, *before* or on the same day as, the date of filing. The attorney
12 or person filing the document represents, by the act of filing, that
13 the declarant has complied with this section. The attorney or person
14 filing the document shall maintain the printed form of the document
15 bearing the original signature and make it available for review and
16 copying upon the request of the court or any party to the action or
17 proceeding in which it is filed.

18 (3) Any document that is electronically filed with the court after
19 the close of business on any day shall be deemed to have been
20 filed on the next court day. “Close of business,” as used in this
21 paragraph, ~~shall mean~~ *means* 5 p.m. or the time at which the court
22 ~~would~~ *will* not accept filing at the court’s filing counter, whichever
23 is earlier.

24 (4) The court receiving a document filed electronically shall
25 issue a confirmation that the document has been received and filed.
26 The confirmation shall serve as proof that the document has been
27 filed.

28 (5) Upon electronic filing of a complaint, petition, or other
29 document that must be served with a summons, a trial court, upon
30 request of the party filing the action, shall issue a summons with
31 the court seal and the case number. The court shall keep the
32 summons in its records and may electronically transmit a copy of
33 the summons to the requesting party. Personal service of a printed
34 form of the electronic summons shall have the same legal effect
35 as personal service of an original summons. If a trial court plans
36 to electronically transmit a summons to the party filing a complaint,
37 the court shall immediately upon receipt of the complaint notify
38 the attorney or party that a summons will be electronically
39 transmitted to the electronic address given by the person filing the
40 complaint.

1 (6) The court shall permit a party or attorney to file an
2 application for waiver of court fees and costs, in lieu of requiring
3 the payment of the filing fee, as part of the process involving the
4 electronic filing of a document. The court shall consider and
5 determine the application in accordance with ~~Sections 68630 to~~
6 ~~68641, inclusive, Article 6 (commencing with Section 68630) of~~
7 ~~Chapter 2 of Title 8 of the Government Code and shall not require~~
8 ~~the party or attorney to submit any documentation other than that~~
9 ~~set forth in Sections 68630 to 68641, inclusive, Article 6~~
10 ~~(commencing with Section 68630) of Chapter 2 of Title 8 of the~~
11 ~~Government Code. Nothing in this section shall require the court~~
12 ~~to waive a filing fee that is not otherwise waivable.~~

13 (c) If a trial court adopts rules conforming to subdivision (b),
14 it may provide by order that all parties to an action file and serve
15 documents electronically in a class action, a consolidated action,
16 ~~or~~ a group of actions, a coordinated action, or an action that is
17 deemed complex under Judicial Council rules, provided that the
18 trial court's order does not cause undue hardship or significant
19 prejudice to any party in the action.

20 (d) (1) Notwithstanding subdivision (b), the Orange County
21 Superior Court may, by local rule and until July 1, 2014, establish
22 a pilot project to require parties to specified civil actions to
23 electronically file and serve documents, subject to the requirements
24 set forth in paragraphs (1), (2), (4), (5), and (6) of subdivision ~~(b)~~
25 ~~and (b)~~, rules adopted pursuant to subdivision ~~(e)~~ (e), and the
26 following conditions:

27 (A) The court shall have the ability to maintain the official court
28 record in electronic format for all cases where electronic filing is
29 required.

30 (B) The court and the parties shall have access ~~either~~ to more
31 than one electronic filing service provider capable of electronically
32 filing documents with the ~~court, court~~ or to electronic filing access
33 directly through the court. ~~Any fees charged by the court shall be~~
34 ~~for~~ *The court may charge fees of no more than the actual cost of*
35 *the electronic filing and service of the documents, and shall be*
36 *waived when deemed appropriate by the court, including, but not*
37 *limited to, for any party who has received a fee waiver. documents.*
38 Any fees charged by an electronic filing service provider shall be
39 reasonable and shall be waived when deemed appropriate by the
40 court, including, but not limited to, for any party who has received

1 ~~a fee waiver~~. *reasonable. Fees, if any, charged by the court, an*
2 *electronic filing manager, or an electronic filing service provider*
3 *to process a payment shall not exceed the actual costs incurred*
4 *for processing. The court, an electronic filing manager, or an*
5 *electronic filing service provider shall waive any fees charged if*
6 *the court deems waiver appropriate, including in instances where*
7 *a party has received a fee waiver.*

8 (C) The court shall have a procedure for the filing of
9 nonelectronic documents in order to prevent the program from
10 causing undue hardship or significant prejudice to any party in an
11 action, including, but not limited to, unrepresented parties.

12 (D) A court that elects to require electronic filing pursuant to
13 this subdivision may permit documents to be filed electronically
14 until 12 a.m. of the day after the court date that the filing is due,
15 and the filing shall be considered timely. However, if same day
16 service of a document is required, the document shall be
17 electronically filed by 5 p.m. on the court date that the filing is
18 due. Ex parte documents shall be electronically filed on the same
19 date and within the same time period as would be required for the
20 filing of a hard copy of the ex parte documents at the clerk's
21 window in the participating county. Documents filed on or after
22 12 a.m., or filed upon a noncourt day, will be deemed filed on the
23 soonest court day following the filing.

24 (2) If a pilot project is established pursuant to paragraph (1),
25 the Judicial Council shall conduct an evaluation of the pilot project
26 and report to the Legislature, on or before December 31, 2013, on
27 the results of the evaluation. The evaluation shall review, among
28 other things, the cost of the program to participants,
29 cost-effectiveness for the court, effect on unrepresented parties
30 and parties with fee waivers, and ease of use for participants.

31 (e) The Judicial Council shall adopt uniform rules for the
32 electronic filing and service of documents in the trial courts of the
33 state, which shall include statewide policies on vendor contracts,
34 privacy, and access to public records, and rules relating to the
35 integrity of electronic service. These rules shall conform to the
36 conditions set forth in this section, as amended from time to time.

37 (f) The Judicial Council shall, on or before July 1, 2014, adopt
38 uniform rules to permit the mandatory electronic filing and service
39 of documents for specified civil actions in the trial courts of the
40 state, which shall be informed by any study performed pursuant

1 to paragraph (2) of subdivision (d) and which shall include
2 statewide policies on vendor contracts, privacy, access to public
3 records, unrepresented parties, parties with fee waivers, hardships,
4 reasonable exceptions to electronic filing, and rules relating to the
5 integrity of electronic service. These rules shall conform to the
6 conditions set forth in this section, as amended from time to time.

7 (g) (1) Upon the adoption of uniform rules by the Judicial
8 Council for mandatory electronic filing and service of documents
9 for specified civil actions in the trial courts of the state, as specified
10 in subdivision (f), a superior court may, by local rule, require
11 mandatory electronic filing, pursuant to paragraph ~~(2)~~ of this
12 ~~subdivision~~ (2).

13 (2) ~~Any~~ A superior court that elects to adopt mandatory
14 electronic filing shall do so pursuant to the requirements and
15 conditions set forth in this section, including, but not limited to,
16 paragraphs (1), (2), (4), (5), and (6) of subdivision ~~(b)~~ of this
17 ~~section~~, (b), and subparagraphs (A), (B), and (C) of paragraph (1)
18 of subdivision (d), and pursuant to the rules adopted by the Judicial
19 Council, as specified in subdivision (f).

20 **SECTION 1.**

21 *SEC. 2.* Section 1033.5 of the Code of Civil Procedure is
22 amended to read:

23 1033.5. (a) The following items are allowable as costs under
24 Section 1032:

25 (1) Filing, motion, and jury fees.

26 (2) Juror food and lodging while they are kept together during
27 trial and after the jury retires for deliberation.

28 (3) (A) Taking, video recording, and transcribing necessary
29 depositions, including an original and one copy of those taken by
30 the claimant and one copy of depositions taken by the party against
31 whom costs are allowed.

32 (B) Fees of a certified or registered interpreter for the deposition
33 of a party or witness who does not proficiently speak or understand
34 the English language.

35 (C) Travel expenses to attend depositions.

36 (4) Service of process by a public officer, registered process
37 server, or other means, as follows:

38 (A) When service is by a public officer, the recoverable cost is
39 the fee authorized by law at the time of service.

- 1 (B) If service is by a process server registered pursuant to
2 Chapter 16 (commencing with Section 22350) of Division 8 of the
3 Business and Professions Code, the recoverable cost is the amount
4 actually incurred in effecting service, including, but not limited
5 to, a stakeout or other means employed in locating the person to
6 be served, unless those charges are successfully challenged by a
7 party to the action.
- 8 (C) When service is by publication, the recoverable cost is the
9 sum actually incurred in effecting service.
- 10 (D) When service is by a means other than that set forth in
11 subparagraph (A), (B), or (C), the recoverable cost is the lesser of
12 the sum actually incurred, or the amount allowed to a public officer
13 in this state for that service, except that the court may allow the
14 sum actually incurred in effecting service upon application pursuant
15 to paragraph (4) of subdivision (c).
- 16 (5) Expenses of attachment including keeper's fees.
- 17 (6) Premiums on necessary surety bonds.
- 18 (7) Ordinary witness fees pursuant to Section 68093 of the
19 Government Code.
- 20 (8) Fees of expert witnesses ordered by the court.
- 21 (9) Transcripts of court proceedings ordered by the court.
- 22 (10) Attorney's fees, when authorized by any of the following:
- 23 (A) Contract.
- 24 (B) Statute.
- 25 (C) Law.
- 26 (11) Court reporter fees as established by statute.
- 27 (12) Court interpreter fees for a qualified court interpreter
28 authorized by the court for an indigent person represented by a
29 qualified legal services project, as defined in Section 6213 of the
30 Business and Professions ~~Code~~ *Code*, or a pro bono ~~attorney~~
31 *attorney*, as defined in Section 8030.4 of the Business and
32 Professions Code.
- 33 (13) Models and enlargements of exhibits and photocopies of
34 exhibits may be allowed if they were reasonably helpful to aid the
35 trier of fact.
- 36 (14) Electronic filing service provider fees. If a court requires
37 or orders a party to file and serve documents electronically with
38 the court, the recoverable costs are those actually incurred to
39 electronically file, serve, and host documents through a ~~certified~~
40 *an* electronic filing service provider.

1 (15) Any other item that is required to be awarded to the
2 prevailing party pursuant to statute as an incident to prevailing in
3 the action at trial or on appeal.

4 (b) The following items are not allowable as costs, except when
5 expressly authorized by law:

6 (1) Fees of experts not ordered by the court.

7 (2) Investigation expenses in preparing the case for trial.

8 (3) Postage, telephone, and photocopying charges, except for
9 exhibits.

10 (4) Costs in investigation of jurors or in preparation for voir
11 dire.

12 (5) Transcripts of court proceedings not ordered by the court.

13 (c) An award of costs shall be subject to the following:

14 (1) Costs are allowable if incurred, whether or not paid.

15 (2) Allowable costs shall be reasonably necessary to the conduct
16 of the litigation rather than merely convenient or beneficial to its
17 preparation.

18 (3) Allowable costs shall be reasonable in amount.

19 (4) Items not mentioned in this section and items assessed upon
20 application may be allowed or denied in the court's discretion.

21 (5) If a statute of this state refers to the award of "costs and
22 attorney's fees," attorney's fees are an item and component of the
23 costs to be awarded and are allowable as costs pursuant to
24 subparagraph (B) of paragraph (10) of subdivision (a). ~~Any~~ A claim
25 not based upon the court's established schedule of attorney's fees
26 for actions on a contract shall bear the burden of proof. Attorney's
27 fees allowable as costs pursuant to subparagraph (B) of paragraph
28 (10) of subdivision (a) may be fixed as follows: (A) upon a noticed
29 motion, (B) at the time a statement of decision is rendered, (C)
30 upon application supported by affidavit made concurrently with a
31 claim for other costs, or (D) upon entry of default judgment.
32 Attorney's fees allowable as costs pursuant to subparagraph (A)
33 or (C) of paragraph (10) of subdivision (a) shall be fixed either
34 upon a noticed motion or upon entry of a default judgment, unless
35 otherwise provided by stipulation of the parties.

36 Attorney's fees awarded pursuant to Section 1717 of the Civil
37 Code are allowable costs under Section 1032 of this code as
38 authorized by subparagraph (A) of paragraph (10) of subdivision
39 (a).

1 ~~SEC. 2.~~

2 SEC. 3. Section 6159 of the Government Code is amended to
3 read:

4 6159. (a) The following definitions apply for purposes of this
5 section:

6 (1) “Credit card” means a card, plate, coupon book, or other
7 credit device existing for the purpose of being used from time to
8 time upon presentation to obtain money, property, labor, or services
9 on credit.

10 (2) “Card issuer” means a person, or his or her agent, who issues
11 a credit card and purchases credit card drafts.

12 (3) “Cardholder” means a person to whom a credit card is issued
13 or any person who has agreed with the card issuer to pay
14 obligations arising from the issuance of a credit card to another
15 person.

16 (4) “Debit card” means a card or other means of access to a
17 debit card cardholder’s account that may be used to initiate
18 electronic funds transfers from that account.

19 (5) “Draft purchaser” means a person who purchases credit card
20 drafts.

21 (6) “Electronic funds transfer” means a method by which a
22 person permits electronic access to, and transfer of, money held
23 in an account by that person.

24 (b) Subject to subdivisions (c) and (d), a court, city, county, city
25 and county, or other public agency may authorize the acceptance
26 of a credit card, debit card, or electronic funds transfer for any of
27 the following:

28 (1) The payment for the deposit of bail for any offense not
29 declared to be a felony or for a court-ordered fee, fine, forfeiture,
30 penalty, assessment, or restitution. Use of a card or electronic funds
31 transfer pursuant to this paragraph may include a requirement that
32 the defendant be charged—~~a~~ an administrative fee charged by the
33 company issuing the card or processing the account for the cost
34 of the transaction.

35 (2) The payment of a filing fee or other court fee.

36 (3) The payment of towage or storage costs for a vehicle that
37 has been removed from a highway, or from public or private
38 property, as a result of parking violations.

1 (4) The payment of child, family, or spousal support, including
2 reimbursement of public assistance, related fees, costs, or penalties,
3 with the authorization of the cardholder or accountholder.

4 (5) The payment for services rendered by a city, county, city
5 and county, or other public agency.

6 (6) The payment of a fee, charge, or tax due a city, county, city
7 and county, or other public agency.

8 (7) The payment of moneys payable to the sheriff pursuant to
9 a levy under a writ of attachment or writ of execution. If the use
10 of a card or electronic funds transfer pursuant to this paragraph
11 includes any administrative fee charged by the company issuing
12 the card or processing the account for the cost of the transaction,
13 that fee shall be paid by the person who pays the money to the
14 sheriff pursuant to the levy.

15 (8) The payment of a donation, gift, bequest, or devise made to
16 or in favor of a county, or to or in favor of ~~the a county~~ board of
17 ~~supervisors of a county~~, *supervisors*, pursuant to Section 25355.

18 (c) A court desiring to authorize the use of a credit card, debit
19 card, or electronic funds transfer pursuant to subdivision (b) shall
20 obtain the approval of the Judicial Council. A city desiring to
21 authorize the use of a credit card, debit card, or electronic funds
22 transfer pursuant to subdivision (b) shall obtain the approval of its
23 city council. Any other public agency desiring to authorize the use
24 of a credit card, debit card, or electronic funds transfer pursuant
25 to subdivision (b) shall obtain the approval of the governing body
26 that has fiscal responsibility for that agency.

27 (d) After approval is obtained, a contract may be executed with
28 one or more credit card issuers, debit card issuers, electronic funds
29 transfer processors, or draft purchasers. The contract shall provide
30 for the following matters:

31 (1) The respective rights and duties of the court, city, county,
32 city and county, or other public agency and card issuer, funds
33 processor, or draft purchaser regarding the presentment,
34 acceptability, and payment of credit and debit card drafts and
35 electronic funds transfer requests.

36 (2) The establishment of a reasonable means by which to
37 facilitate payment settlements.

38 (3) The payment to the card issuer, funds processor, or draft
39 purchaser of a reasonable fee or discount.

1 (4) Any other matters appropriately included in contracts with
2 respect to the purchase of credit and debit card drafts and
3 processing of electronic funds transfer requests as may be agreed
4 upon by the parties to the contract.

5 (e) The honoring of a credit card, debit card, or electronic funds
6 transfer pursuant to subdivision (b) ~~hereof~~ constitutes payment of
7 the amount owing to the court, city, county, city and county, or
8 other public agency as of the date the credit or debit card is honored
9 or the electronic funds transfer is processed, ~~provided if~~ the credit
10 or debit card draft is paid following its due presentment to a card
11 issuer or draft purchaser or the electronic funds transfer is
12 completed with transfer to the agency requesting the transfer.

13 (f) If a credit or debit card draft is not paid following due
14 presentment to a card issuer or draft purchaser or is charged back
15 to the court, city, county, city and county, or other public agency
16 for any reason, any record of payment made by the court, city, or
17 other public agency honoring the credit or debit card shall be void.
18 If an electronic funds transfer request is not completed with transfer
19 to the agency requesting the transfer or is charged back to the
20 agency for any reason, any record of payment made by the agency
21 processing the electronic funds transfer shall be void. A receipt
22 issued in acknowledgment of payment shall also be void. The
23 obligation of the cardholder or accountholder shall continue as an
24 outstanding obligation as if no payment had been attempted.

25 (g) If a credit card, debit card draft, electronic funds transfer,
26 or other payment offered in payment is returned without payment,
27 for any reason, a reasonable charge for the charge back or return,
28 not to exceed the actual costs incurred by the public agency, may
29 be imposed to recover the public agency's processing and
30 collection costs. This charge may be added to, and become part
31 of, any underlying obligation other than an obligation ~~which~~ *that*
32 constitutes a lien on real property, and a different method of
33 payment for that payment and future payments by this person may
34 be prescribed.

35 (h) (1) Notwithstanding Title 1.3 (commencing with Section
36 1747) of Part 4 of Division 3 of the Civil Code, a court or agent
37 of the court, city, county, city and county, or any other public
38 agency may impose a fee for the use of a credit or debit card or
39 electronic funds transfer, not to exceed the costs incurred by the
40 agency in providing for payment by credit or debit card or

1 electronic funds transfer. These costs may include, but shall not
2 be limited to, the payment of fees or discounts as specified in
3 paragraph (3) of subdivision (d). A fee imposed by a court or agent
4 of the court pursuant to this subdivision shall be approved by the
5 Judicial Council. A fee imposed by any other public agency
6 pursuant to this subdivision for the use of a credit or debit card or
7 electronic funds transfer shall be approved by the governing body
8 responsible for the fiscal decisions of the public agency.

9 *(2) For purposes of this subdivision, an electronic filing service*
10 *provider who is required to collect and remit funds in order to*
11 *complete an electronic filing transaction is deemed an agent of*
12 *the court.*

13 (i) Fees or discounts provided for under paragraph (3) of
14 subdivision (d) shall be deducted or accounted for ~~prior to~~ *before*
15 any statutory or other distribution of funds received from the card
16 issuer, funds processor, or draft purchaser to the extent not
17 recovered from the cardholder or accountholder pursuant to
18 subdivision (h).

19 (j) The Judicial Council may enter into a master agreement with
20 one or more credit or debit card issuers, funds processors, or draft
21 purchasers for the acceptance and payment of credit or debit card
22 drafts and electronic funds transfer requests received by the courts.
23 A court may join in any of these master agreements or may enter
24 into a separate agreement with a credit or debit card issuer, funds
25 processor, or draft purchaser.

26 *(k) An electronic filing service provider, as described in*
27 *subdivision (h), shall not collect or attempt to collect a fee to*
28 *complete an electronic filing transaction from a party who is*
29 *exempt from paying fees; provided, however, that the electronic*
30 *filing service provider shall complete the filing notwithstanding*
31 *the fee exemption.*

32 *(l) A court or an entity contracted with a court to provide a*
33 *system for acceptance of electronically transmitted documents and*
34 *associated fees shall not require an electronic filing service*
35 *provider to use any single method of payment but shall instead*
36 *offer a menu of payment options that may include credit or debit*
37 *cards, electronic funds transfers, electronic networks for financial*

- 1 *transactions such as Automated Clearing House (ACH), or*
- 2 *payment methods that do not charge a transaction cost.*

O