

SPECIAL DISTRICTS BULLETIN

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CAPITALIZATION POLICY

The special district board must have a written policy concerning capital assets that includes at a minimum, the threshold at which an item is considered a capital asset.

ELECTRONIC PAYMENTS FROM THE SPECIAL DISTRICT

IC 36-1-8-11.5 authorizes the special district board to adopt a resolution to authorizing an electronic funds transfer method of payment of claims. If the district board adopts such a resolution, the district may pay money from its funds by electronic funds transfer. The district must comply with all other requirements for the payment of claims by political subdivisions.

As used in IC 36-1-8-11.5, "electronic funds transfer" means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, that is initiated through an electronic terminal, telephone, or computer or magnetic tape for the purpose of ordering, instructing, or authorizing a financial institution to debit or credit an account.

ELECTRONIC PAYMENTS TO THE SPECIAL DISTRICT

IC 36-1-8-11.5 allows the special district board to authorize the district to accept various payment methods, including electronic payments. This authorization should be documented by resolution.

A payment to a special district for any purpose may be made by any of the following financial instruments that the district board authorizes for use: (1) Cash. (2) Check. (3) Bank draft. (4) Money order. (5) Bank card or credit card. (6) Electronic funds transfer. (7) Any other financial instrument authorized by the special district board. The term "credit card" means a credit card, debit card, charge card, or stored value card.

If there is a charge to the special district for the use of a financial instrument, the special district may collect a sum equal to the amount of the charge from the person who uses the financial instrument.

ELECTRONIC PAYMENTS TO THE SPECIAL DISTRICT (continued)

If authorized by the district board, the special district may accept payments under IC 36-1-8-11.5 with a bank card or credit card under the procedures set forth. However, the procedure authorized for a particular type of payment must be uniformly applied to all payments of the same type.

The special district may contract with a bank card or credit card vendor for acceptance of bank cards or credit cards. However, if there is a vendor transaction charge or discount fee, whether billed to the special district or charged directly to the special district's account, the special district may collect from the person using the card either or both of the following: (1) An official fee that may not exceed the transaction charge or discount fee charged to the political subdivision or municipally owned utility by bank or credit card vendors. (2) A reasonable convenience fee: (A) that may not exceed three dollars (\$3); and (B) that must be uniform regardless of the bank card or credit card used.

The fees described in (1) and (2) may be collected regardless of retail merchant agreements between the bank and credit card vendors that may prohibit such fees. These fees are permitted additional charges under IC 24-4.5-3-202. (g)

The special district may pay any applicable bank card or credit card service charge associated with the use of a bank card or credit card under this subsection.