



New Mexico Board of Finance Requirement Checklist

ACCEPTANCE OF PAYMENT CARDS

This checklist is intended to assist state agencies and the courts in complying with 2.60.8 NMAC. Please reference the rule in its entirety along with this checklist to ensure you are following all requirements. [Click here for the full rule.](#)

Check completed items below, as applicable, and prepare documents as needed.

Submit all documents electronically to:

Ashley Leach
Director, State Board of Finance
Ashley.Leach@state.nm.us

STATE AGENCY CONTACT INFORMATION

Agency _____ Phone Number _____

Agency Contact Name _____ Email Address _____

REQUIRED DOCUMENTATION

Submit as part of the formal request for approval.

___ This checklist, completed

___ A letter or memo from the agency Cabinet Secretary or CFO including all of the following:

a. General information:

- ___ The reason the agency would like to accept credit card payments.
- ___ A list of all fees, taxes, or other amounts to be collected from credit card payments.
- ___ A statement as to whether the agency will absorb fees for acceptance of payment cards or the cardholders will be assessed a convenience or service fee.
- ___ A statement identifying the payment gateway that will be used to facilitate online credit card payments.

b. Attestation that the agency will:

- ___ Follow the terms and conditions for payment card acceptance as set out in the Fiscal Agent Agreement and the Board's agreement with individual payment card companies.
- ___ Pay all costs associated with the acceptance of payment card services, including but not limited to (1) purchases or leases of merchant equipment, as set out in the Fiscal Agent Agreement and any agreement with an approved third-party processor, and (2) any assessment charged by the state to cover the cost of compliance with payment card industry data security standards.
- ___ Be responsible for tracking, researching, and recording all payment card transactions for reconciliation purposes.

c. Confirmation that:

- ___ Any acceptance of payment cards through the internet shall be done in a secure fashion and on a secure system.
- ___ The agency's CFO and CIO will cooperate with the Board to ensure compliance with payment card industry data security standards.

d. If fees for acceptance of payment cards will be paid by the cardholder:

- ___ Procedures used to charge and collect convenience or service fees from cardholders and confirmation that the convenience or service fees will be in compliance with Subsection B of 6-10-1.2 NMSA 1978, as amended;



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REQUIRED DOCUMENTATION CONTINUED

- _____ Memorandum or other attestation from the Department of Information and Technology (DoIT) that the agency's acceptance of payment cards will meet current data security standards of the payment card industry.

- _____ Memorandum or other attestation from the Fiscal Agent that the structure and process for collecting payment cards meets the Fiscal Agent's requirements for complying with the Fiscal Agent agreement.

- _____ If the agency is using a third-party processor:
A copy of the third-party processor agreement with the agency and the reasons why use of a third-party processor is more advantageous for the agency than using the fiscal agent. If the third-party processor agreement with the agency is not yet available at the time Board approval for acceptance of payment cards is requested, the Board Director may condition any approval on the Board Director's later review and approval of the third-party processor agreement.

- _____ If the agency opts to use the Service Fee Model, a Service Fee Addendum, signed by the agency and Wells Fargo.

- _____ If the agency is using a payment gateway through the Fiscal Agent agreement:
A comparison of the costs and benefits of using payment gateway to traditional payment card services, including a breakdown of fees to be paid by the board, the agency, and cardholders.

For information on the full process of requesting approval to accept credit card payments, as well as information on PCI compliance and the PCI Steering Committee, visit:

<https://www.nmdfa.state.nm.us/board-of-finance/payment-card-acceptance/>.

For questions, contact:

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