

By: McCall

H.B. No. 176

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the contents of a receipt issued for payment of a good  
3 or service by debit or credit card; providing a civil penalty.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter D, Chapter 35, Business & Commerce  
6 Code, is amended by adding Section 35.57 to read as follows:

7 Sec. 35.57. SALES RECEIPT CONTAINING DEBIT OR CREDIT CARD  
8 INFORMATION. (a) In a sale of goods or services in which payment  
9 is made by use of a credit card or debit card, a seller may not issue  
10 a sales receipt or other document evidencing the transaction unless  
11 at least four digits of the cardholder's credit card account number  
12 or debit card account number are omitted from the receipt or  
13 document.

14 (b) A person who violates this section is liable to the  
15 state for a civil penalty in an amount not to exceed \$500 for each  
16 violation. The attorney general or the prosecuting attorney in the  
17 county in which the violation occurs may bring suit to recover the  
18 civil penalty imposed under this section.

19 (c) The attorney general may bring an action in the name of  
20 the state to restrain or enjoin a person from violating this  
21 section.

22 SECTION 2. This Act takes effect January 1, 2004.