

By: Hopson

H.B. No. 277

A BILL TO BE ENTITLED

AN ACT

relating to the contents of a receipt or other document issued for payment by debit or credit card; providing a civil penalty.

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

SECTION 1. Subchapter D, Chapter 35, Business & Commerce Code, is amended by adding Section 35.58 to read as follows:

Sec. 35.58. BUSINESS RECEIPT CONTAINING DEBIT OR CREDIT CARD INFORMATION. (a) This section does not apply to a transaction in which the sole means of recording a person's debit or credit card account number on a receipt or other document evidencing the transaction is by handwriting or by an imprint or copy of the debit or credit card.

(b) A person that accepts a debit or credit card for the transaction of business may not use a cash register or other machine to print a receipt or other document that evidences the transaction unless at least four digits of the cardholder's credit card account number or debit card account number are omitted from the receipt or document.

(c) A person who violates this section is liable to the state for a civil penalty in an amount not to exceed \$500 for each calendar month during which a violation occurs. The civil penalty may not be imposed for more than one violation that occurs in a month.

(d) The attorney general or the prosecuting attorney in the

1 county in which the violation occurs may bring suit to recover the
2 civil penalty imposed under Subsection (c).

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