

BILL ANALYSIS

H.B. 523
By: Giddings
Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Identity theft is a serious problem. Some retail organizations require customers who wish to return merchandise to the organization to provide the person's driver's license number when the return is made, and the retail organization stores this information to keep track of all returns to ensure that there are no suspicious persons making numerous returns. A consumer's driver's license number is often printed on a receipt of sale, and receipts are easy to lose and can be accidently discarded. Printing a driver's license number on a receipt can potentially lead to someone's identity being stolen. Safety precautions to protect consumers are needed.

H.B. 523 prohibits an individual's driver's license number from being printed on a receipt of sale. The bill provides for a penalty not to exceed \$500 for each calendar month in which a violation occurs.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 523 amends the Business & Commerce Code to prohibit a person from printing an individual's driver's license number on a receipt or other document that evidences payment for a sale of goods or services and is provided to the individual. The bill makes a person who violates this provision liable to the state for a civil penalty in an amount not to exceed \$500 for each calendar month in which a violation occurs, and prohibits the civil penalty from being imposed for more than one violation that occurs in a month. The bill authorizes the attorney general or the prosecuting attorney in the county in which the violation occurs to bring an action to recover the civil penalty.

EFFECTIVE DATE

January 1, 2010.