

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

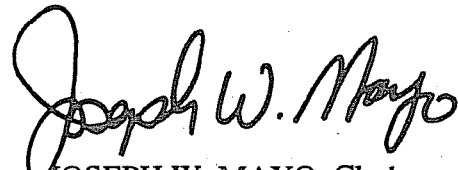
No. 325

H.P. 246

House of Representatives, February 4, 1993

An Act to Prohibit the Transfer of Credit Card Information.

Reference to the Committee on Banking and Insurance suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative TREAT of Gardiner.
Cosponsored by Representative ADAMS of Portland and
Representatives: KUTASI of Bridgton, PINEAU of Jay, TRACY of Rome, WENTWORTH of
Arundel, WINN of Glenburn, Senator: McCORMICK of Kennebec.

Be it enacted by the People of the State of Maine as follows:

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34

Sec. 1. 9-A MRSA §8-304 is enacted to read:

§8-304. Transfer of credit card information prohibited

1. Except as provided in subsection 2, it is unlawful for a financial institution, credit card registration service or other person, business, corporation, partnership or agency to rent, sell, exchange or otherwise make available to a 3rd party the name, address and account number of a credit card holder without the express, written permission of the credit card holder or a list of names, addresses and account numbers without the express, written permission of the issuer and the credit card holders.

2. This section does not prohibit the transfer of credit card account names, addresses and account numbers to a consumer reporting agency, as defined in Title 10, section 1312, subsection 4, or from a consumer reporting agency to a 3rd party, provided the transfer is for purposes and in a manner consistent with the terms of the Fair Credit Reporting Act.

3. A violation of this section constitutes a violation of the Maine Unfair Trade Practices Act.

STATEMENT OF FACT

This bill prohibits the transfer of names, addresses and credit card account numbers to 3rd parties without the express, written permission of the credit card holder and the issuer. An exception is made for transfers to and from consumer reporting agencies under the terms of the Fair Credit Reporting Act. A violation of this prohibition is made an unfair trade practice.