

MAINE STATE LEGISLATURE

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R. of S.

L.D. 1880

DATE: February 19, 2002

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BANKING AND INSURANCE

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STATE OF MAINE
SENATE
120TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 678, L.D. 1880, Bill, "An Act to Reduce Identity Theft by Requiring Truncated Credit Card Receipts"

Amend the bill by striking out the title and substituting the following:

'An Act to Reduce Identity Theft by Regulating Electronically Printed Credit Card and Debit Card Receipts'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 10 MRSA c. 202-D is enacted to read:

CHAPTER 202-D

CREDIT CARD AND DEBIT CARD RECEIPTS

§1149. Electronically printed credit card and debit card receipts

1. Electronically printed receipts. Except as provided in this section, a person, firm, partnership, association, corporation or limited liability company that accepts credit cards or debit cards for the transaction of business may not print more than the last 5 digits of the credit card or debit card account number or may not print the expiration date of the credit card or debit card on a receipt provided to a cardholder.

2. Exception. This section applies only to receipts that are electronically printed and does not apply to transactions in which the sole means of recording the cardholder's credit card or

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2 debit card account number is by handwriting or by an imprint or
copy of the credit card or debit card.

4 3. Forfeiture; civil penalty. A person, firm, partnership,
association, corporation or limited liability company that
6 violates this section is subject to a forfeiture not to exceed
\$250 for the first violation and a civil penalty of \$1,000 for
8 each subsequent violation. A forfeiture or civil penalty may not
be assessed for a violation of this section if the person, firm,
10 partnership, association, corporation or limited liability
company demonstrates by a preponderance of the evidence that the
12 defendant has adopted procedures reasonably designed to avoid
errors and that the violation was unintentional and resulted from
14 a bona fide error.

16 4. Effective date. This section takes effect January 1,
18 2004.'

Further amend the bill by inserting at the end before the
20 summary the following:

22
24 **FISCAL NOTE**

The additional workload and administrative costs associated
26 with the minimal number of new cases filed in the court system
can be absorbed within the budgeted resources of the Judicial
28 Department. The collection of additional fines may increase
General Fund revenue by minor amounts.'

30
32 **SUMMARY**

34 This amendment replaces the bill. The amendment prohibits a
person from issuing to a cardholder a credit card or debit card
36 receipt that contains more than the last 5 digits of the credit
card or debit card account number or contains the expiration
38 date. The amendment does not apply if the only means of
recording the card number is by handwriting or imprint. The
40 amendment allocates the provisions to the Maine Revised Statutes,
Title 10 and retains the effective date of January 1, 2004. It
42 also adds a fiscal note to the bill.