

**RETAILER REQUIREMENTS IN PRINTING
FINANCIAL TRANSACTION CARD RECEIPT**

2003 GENERAL SESSION

STATE OF UTAH

Sponsor: Carlene M. Walker

This act modifies the Commerce and Trade Code by enacting provisions prohibiting a person from printing more than the last five digits of a financial transaction card account number or the expiration date on a financial transaction card receipt. The act provides a cause of action when a person violates these provisions. This act takes effect on January 1, 2004.

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

13-37-101, Utah Code Annotated 1953

13-37-102, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **13-37-101** is enacted to read:

CHAPTER 37. FINANCIAL TRANSACTION CARD RECEIPTS

13-37-101. Definitions -- Financial transaction card receipt requirements.

(1) As used in this chapter:

(a) "Division" means the Division of Consumer Protection in the Department of Commerce.

(b) (i) "Financial transaction card" means any card, code, or other means of access to a person's account issued to a person that allows the person to obtain, purchase, or receive any of the following:

(A) goods;

(B) services;

(C) money; or

(D) anything else of value.

(ii) "Financial transaction card" includes:

- (A) a credit card;
- (B) a credit plate;
- (C) a bank services card;
- (D) a banking card;
- (E) a check guarantee card;
- (F) a debit card;
- (G) a telephone credit card; and
- (H) a device for access as defined in Section 7-16a-102.

(c) "Receipt" means any document related to the transaction of business provided to a person that uses a financial transaction card.

(2) A person that accepts a financial transaction card for the transaction of business may not, on a financial transaction card receipt:

- (a) print more than the last five digits of the financial transaction card account number;

or

- (b) print the financial transaction card expiration date.

(3) (a) This section applies only to receipts that are electronically printed.

(b) This section does not apply to transactions in which the initial means of recording the financial transaction card number is by:

- (i) handwriting; or
- (ii) an imprint or copy of the financial transaction card.

Section 2. Section **13-37-102** is enacted to read:

13-37-102. Private action.

(1) A person may bring an action in any state court of competent jurisdiction against a person that violates any of the requirements of this chapter.

(2) In an action under Subsection (1), a person may:

- (a) recover the amount of any actual damages caused by the violation of this chapter;
- (b) recover court costs and reasonable attorney fees as determined by the court; and
- (c) seek to enjoin conduct in violation of this chapter.

Section 3. **Effective date.**

This act takes effect on January 1, 2004.