

Senator Carlene M. Walker proposes the following substitute bill:

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

3                                   2003 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Sponsor: Carlene M. Walker**

6   **This act modifies the Commerce and Trade Code by enacting provisions prohibiting a**  
7   **person from printing more than the last five digits of a financial transaction card account**  
8   **number or the expiration date on a financial transaction card receipt. The act provides a**  
9   **cause of action when a person violates these provisions. This act takes effect on January**  
10 **1, 2004.**

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

12 ENACTS:

13           **13-37-101**, Utah Code Annotated 1953

14           **13-37-102**, Utah Code Annotated 1953

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

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

17                                   **CHAPTER 37. FINANCIAL TRANSACTION CARD RECEIPTS**

18           **13-37-101. Definitions -- Financial transaction card receipt requirements.**

19           (1) As used in this chapter:

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

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

25           (A) goods;



- 26 (B) services;
- 27 (C) money; or
- 28 (D) anything else of value.
- 29 (ii) "Financial transaction card" includes:
- 30 (A) a credit card;
- 31 (B) a credit plate;
- 32 (C) a bank services card;
- 33 (D) a banking card;
- 34 (E) a check guarantee card;
- 35 (F) a debit card;
- 36 (G) a telephone credit card; and
- 37 (H) a device for access as defined in Section 7-16a-102.
- 38 (c) "Receipt" means any document related to the transaction of business provided to a
- 39 person that uses a financial transaction card.
- 40 (2) A person that accepts a financial transaction card for the transaction of business
- 41 may not, on a financial transaction card receipt:
- 42 (a) print more than the last five digits of the financial transaction card account number;
- 43 or
- 44 (b) print the financial transaction card expiration date.
- 45 (3) (a) This section applies only to receipts that are electronically printed.
- 46 (b) This section does not apply to transactions in which the initial means of recording
- 47 the financial transaction card number is by:
- 48 (i) handwriting; or
- 49 (ii) an imprint or copy of the financial transaction card.
- 50 Section 2. Section **13-37-102** is enacted to read:
- 51 **13-37-102. Private action.**
- 52 (1) A person may bring an action in any state court of competent jurisdiction against a
- 53 person that violates any of the requirements of this chapter.
- 54 (2) In an action under Subsection (1), a person may:
- 55 (a) recover the amount of any actual damages caused by the violation of this chapter;
- 56 (b) recover court costs and reasonable attorney fees as determined by the court; and

57 (c) seek to enjoin conduct in violation of this chapter.

58 Section 3. **Effective date.**

59 This act takes effect on January 1, 2004.