

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 593 Session of
1999

INTRODUCED BY LYNCH, THOMAS, E. Z. TAYLOR, FARGO, EGOLF, SHANER,
BLAUM, WALKO, GEIST, CORRIGAN, MAHER, CLARK, COLAFELLA,
BENNINGHOFF, GEORGE, GRUCELA, FAIRCHILD, McNAUGHTON, FICHTER,
SEYFERT, HERMAN, TULLI, GIGLIOTTI, BAKER, TRUE, JOSEPHS,
ROHRER, McCALL, PHILLIPS, LAUGHLIN, PETRARCA, MANDERINO,
S. MILLER, HARHAI, NICKOL, CURRY, DeLUCA, SAYLOR, STABACK,
SURRA, SCHRODER, J. TAYLOR, TRELLO, ROEBUCK, READSHAW,
WILLIAMS, PESCI, BARRAR, TRAVAGLIO, FORCIER, STEVENSON, ORIE,
ROSS, STEELMAN, STERN, WILT AND YOUNGBLOOD, FEBRUARY 16, 1999

REFERRED TO COMMITTEE ON COMMERCE AND ECONOMIC DEVELOPMENT,
FEBRUARY 16, 1999

AN ACT

1 Amending the act of May 21, 1992 (P.L.241, No.36), entitled "An
2 act prohibiting persons who accept credit cards for the
3 transaction of business from requiring certain additional
4 information from the credit cardholder; providing for
5 enforcement of the act; and imposing civil penalties,"
6 enlarging the scope of the act; and further providing for
7 requirement of information.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. The title and section 2 of the act of May 21,
11 1992 (P.L.241, No.36), referred to as the Credit Card
12 Information Act, are amended to read:

AN ACT

14 Prohibiting persons who accept credit cards for the transaction
15 of business or checks for the purchase of goods or services
16 from requiring certain additional information from the credit

cardholder; providing for enforcement of the act; and
imposing civil penalties.

Section 2. Requirement of information prohibited.

(a) General rule.--No person who accepts credit cards for the transaction of business shall require the credit cardholder to write on the credit card transaction form, nor shall the person write or cause to be written on the form, any personal identification information, including, but not limited to, the credit cardholder's Social Security number, address or telephone number, that is not required by the credit card issuer to complete the credit card transaction, provided, however, that the credit cardholder's address and telephone number may be required on the form where:

(1) the information is necessary for shipping, delivery or installation of purchased merchandise, warranties or service maintenance agreements, or for special orders;

(2) the person processes credit card transactions by mailing transaction forms to a designated bankcard center for settlement; or

(3) the information is necessary to comply with Federal or State law or regulations adopted pursuant thereto.

(b) Checks.--No person shall, as a condition of acceptance of a check for the purchase of goods or services, as a means of identification or for any other purpose, require that a person presenting a check produce a credit card number or Social Security number for recordation. No person shall record a credit card number in connection with:

(1) a sale of goods or services in which a purchaser pays by check; or

(2) the acceptance of a check.

1 (c) Guaranteed checks.--A credit card number may be
2 requested and recorded as a condition for cashing a check where
3 payment of the check is being guaranteed by the credit card
4 issuer and all of the following conditions are met:

5 (1) the person requesting the card has agreed with the
6 issuer to cash checks as a service to the issuer's
7 cardholders;

8 (2) the issuer has agreed to guarantee cardholder checks
9 cashed by that person; and

10 (3) the cardholder has given actual, apparent or implied
11 authority for use of his card number in this manner and for
12 this purpose.

13 (d) Construction of section.--This section shall not be
14 construed to prohibit a person from requesting a purchaser to
15 display a credit card as identification. The only information
16 concerning a credit card which may be recorded when a credit
17 card is being used as identification and the credit card issuer
18 is not guaranteeing payment is the type, the issuer and the
19 expiration date of the credit card. A credit card number may be
20 requested and recorded as a condition for cashing a check where
21 the credit card was issued by the person accepting the check.
22 This section does not require acceptance of a check whether or
23 not a credit card is presented.

24 Section 2. This act shall take effect in 60 days.