

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 261 Session of  
2015

INTRODUCED BY BAKER, COHEN, FREEMAN, MAJOR, DAVIS, CAUSER,  
KAUFFMAN, PICKETT, READSHAW, O'NEILL, D. MILLER, MULLERY,  
SCHLOSSBERG, MARSICO, MURT, HARHART, MILLARD, SAYLOR AND  
DeLUCA, FEBRUARY 2, 2015

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, FEBRUARY 2, 2015

AN ACT

1 Providing for verification of person accepting offer of credit.

2 The General Assembly of the Commonwealth of Pennsylvania

3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Credit Card  
6 Verification Procedure Act.

7 Section 2. Verification required.

8 A credit card issuer that mails an offer or solicitation to  
9 receive a credit card and receives an acceptance of that offer  
10 that lists an address that is different from the address on the  
11 offer or solicitation shall verify the change of address by  
12 contacting the person to whom the offer or solicitation was  
13 mailed before issuing the credit card.

14 Section 3. Verification process.

15 A credit card issuer shall be deemed to have verified the  
16 address of a person pursuant to section 2 if the issuer does any

1 of the following:

2 (1) Telephones the person at a telephone number  
3 appearing in a publicly available directory or database as  
4 the telephone number of the person to whom the offer or  
5 solicitation was made and the person verifies his identity by  
6 providing identifying information and acknowledges his  
7 acceptance of the offer or solicitation.

8 (2) Receives from the person accepting the offer proof  
9 of identity in the form of an identification document,  
10 including, without limitation, a driver's license or  
11 passport, which confirms that the person accepting the offer  
12 or solicitation is the person to whom the offer or  
13 solicitation was made.

14 (3) Uses any other commercially reasonable means to  
15 confirm that the person accepting the offer or solicitation  
16 is the person to whom the offer or solicitation was made,  
17 including, without limitation, any means adopted in Federal  
18 regulations.

19 Section 4. Liability for unauthorized use.

20 Notwithstanding any other provision of law, a person to whom  
21 an offer or solicitation to receive a credit card is made shall  
22 not be liable for the unauthorized use of a credit card issued  
23 in response to that offer or solicitation if the credit card  
24 issuer does not verify the change of address pursuant to section  
25 2 prior to the issuance of the credit card, unless the credit  
26 card issuer establishes that the person actually incurred the  
27 charge on the credit card.

28 Section 5. Change of address.

29 When a credit card issuer receives a written or oral request  
30 for a change of a cardholder's billing address and subsequently

1 receives a written or oral request for an additional credit card  
2 within 10 days after the requested change of address, the credit  
3 card issuer shall not mail the requested additional credit card  
4 to the new address or, alternatively, activate the requested  
5 additional card, unless the credit card issuer has verified the  
6 change of address pursuant to section 3.

7 Section 6. Effective date.

8 This act shall take effect in 60 days.