

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 216 Session of 2011

INTRODUCED BY BAKER, CLYMER, J. EVANS, MAJOR, BARRAR, BOYD,  
GEORGE, GINGRICH, GODSHALL, GOODMAN, GRELL, HARHART, HARRIS,  
HORNAMAN, KAUFFMAN, M.K. KELLER, MCGEEHAN, MILLARD, MILLER,  
MUSTIO, O'NEILL, PICKETT, RAPP, READSHAW, SCAVELLO,  
VULAKOVICH, WATSON, DENLINGER, HARHAI, GILLESPIE AND CAUSER,  
JANUARY 25, 2011

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JANUARY 25, 2011

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. Verification required.

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

11 Section 2. Verification process.

12 A credit card issuer shall be deemed to have verified the  
13 address of a person pursuant to section 1 if the issuer does any  
14 of the following:

15 (1) Telephones the person at a telephone number

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

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

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

17 Section 3. Liability for unauthorized use.

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

26 Section 4. Change of address.

27 When a credit card issuer receives a written or oral request  
28 for a change of a cardholder's billing address and subsequently  
29 receives a written or oral request for an additional credit card  
30 within ten days after the requested change of address, the

1 credit card issuer shall not mail the requested additional  
2 credit card to the new address or, alternatively, activate the  
3 requested additional card, unless the credit card issuer has  
4 verified the change of address pursuant to section 2.

5 Section 5. Effective date.

6 This act shall take effect in 60 days.