

FEB 11 2004

COMMERCE, REGULATION & LABOR

HOUSE FILE 2221

BY HUTTER

Passed House, Date _____

Passed Senate, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act to prohibit the printing of credit card numbers and
2 expiration dates on sales receipts and providing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2221

1 Section 1. Section 715A.6, Code Supplement 2003, is
2 amended to read as follows:

3 715A.6 CREDIT CARDS.

4 1. a. A person commits a public offense by using a credit
5 card for the purpose of obtaining property or services with
6 knowledge of any of the following:

7 a- (1) The credit card is stolen or forged.

8 b- (2) The credit card has been revoked or canceled.

9 c- (3) For any other reason the use of the credit card is
10 unauthorized.

11 b. It is an affirmative defense to prosecution under
12 paragraph "c" "a", subparagraph (3), if the person proves by a
13 preponderance of the evidence that the person had the intent
14 and ability to meet all obligations to the issuer arising out
15 of the use of the credit card.

16 2- c. An offense under this ~~section~~ subsection is a class
17 "C" felony if the value of the property or services secured or
18 sought to be secured by means of the credit card is greater
19 than ten thousand dollars. If the value of the property or
20 services secured or sought to be secured by means of the
21 credit card is greater than one thousand dollars but not more
22 than ten thousand dollars, an offense under this ~~section~~
23 subsection is a class "D" felony, otherwise the offense is an
24 aggravated misdemeanor.

25 3- d. For purposes of this ~~section~~ subsection, the value
26 of the property or services is the highest value of the
27 property or services determined by any reasonable standard at
28 the time the violation occurred. Any reasonable standard
29 includes but is not limited to market value within the
30 community, actual value, or replacement value. If property or
31 services are secured by two or more acts from the same person
32 or location, or from different persons by two or more acts
33 which occur in approximately the same location or time period
34 so that the acts are attributable to a single scheme, plan, or
35 conspiracy, the acts may be considered as a single act and the

1 value may be the total value of all property or services
2 involved.

3 2. a. A person that accepts payment by credit card shall
4 not print more than the last four digits of the credit card
5 account number and shall not print the credit card expiration
6 date on any sales receipt issued to the cardholder.

7 b. This subsection applies only to sales receipts that are
8 electronically printed and does not apply to transactions in
9 which the sole means of recording the credit card is by
10 handwriting or by an imprint or copy of the credit card.

11 c. A violation of this subsection constitutes a simple
12 misdemeanor.

13 EXPLANATION

14 This bill prohibits sellers from printing on sales receipts
15 credit card expiration dates and credit card numbers except
16 for the last four digits. This prohibition does not apply to
17 sales receipts that are handwritten or sales receipts that are
18 created by an imprint or copy of the credit card. Violations
19 are punishable as a simple misdemeanor. A simple misdemeanor
20 is punishable by confinement for no more than 30 days or a
21 fine of at least \$50 but not more than \$500 or by both.

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