

**11Second Regular Session
Sixty-third General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 02-0234.01 Julie Hoerner

HOUSE BILL 02-1144

HOUSE SPONSORSHIP

Daniel, Boyd, Garcia, Jahn, and Romanoff

SENATE SPONSORSHIP

Arnold,

House Committees
Information & Technology

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING RESTRICTIONS ON CREDIT CARD RECEIPTS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Makes legislative findings. Prohibits any person that accepts credit cards for the transaction of business from printing more than the last 5 numbers or expiration date of a credit card on the receipt to the cardholder. Provides an exception for such restriction for persons who must handwrite, imprint, or copy a credit card for business purposes. Defines "credit card" to include charge and debit cards.

1 *Be it enacted by the General Assembly of the State of Colorado:*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

HOUSE
Amended 2nd Reading
February 1, 2002

1 **SECTION 1.** Part 7 of article 1 of title 6, Colorado Revised
2 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
3 read:

4 **6-1-710. Restrictions on credit card receipts - legislative**
5 **declaration - application - definition.** (1) THE GENERAL ASSEMBLY
6 HEREBY FINDS, DETERMINES, AND DECLARES THAT CREDIT, PARTICULARLY
7 THE USE OF CREDIT CARDS, IS AN IMPORTANT TOOL FOR CONSUMERS IN
8 TODAY'S ECONOMY. UNSCRUPULOUS PERSONS OFTEN FRAUDULENTLY USE
9 THE CREDIT CARD ACCOUNTS OF OTHERS BY STEALING THE CREDIT CARD
10 ITSELF OR OBTAINING THE NECESSARY INFORMATION TO FRAUDULENTLY
11 CHARGE THE PURCHASE OF GOODS AND SERVICES TO ANOTHER PERSON'S
12 CREDIT CARD ACCOUNT. THE GENERAL ASSEMBLY, THEREFORE, FINDS,
13 DETERMINES, AND DECLARES THAT PROTECTION FROM UNAUTHORIZED USE
14 OF CREDIT CARD ACCOUNTS IS NECESSARY.

15 (2) NO PERSON THAT ACCEPTS CREDIT CARDS FOR THE
16 TRANSACTION OF BUSINESS SHALL PRINT MORE THAN THE LAST FIVE DIGITS
17 OF THE CREDIT CARD ACCOUNT NUMBER OR PRINT THE CREDIT CARD
18 EXPIRATION DATE, OR BOTH, ON A CREDIT CARD RECEIPT TO THE
19 CARDHOLDER.

20 (3) THIS SECTION SHALL APPLY ONLY TO RECEIPTS THAT ARE
21 ELECTRONICALLY PRINTED AND SHALL NOT APPLY TO TRANSACTIONS IN
22 WHICH THE SOLE MEANS OF RECORDING THE CREDIT CARD NUMBER IS BY
23 HANDWRITING OR BY AN IMPRINT OR COPY OF THE CREDIT CARD.

24 (4) FOR THE PURPOSES OF THIS SECTION, "CREDIT CARD" MEANS A
25 CARD OR DEVICE EXISTING FOR THE PURPOSE OF OBTAINING MONEY,
26 PROPERTY, LABOR, OR SERVICES ON CREDIT; THOSE CARDS PURSUANT TO
27 WHICH UNPAID BALANCES ARE PAYABLE UPON DEMAND; AND ANY CARD OR

1 DEVICE USED TO WITHDRAW MONEYS FROM A BANK ACCOUNT.

2 (5) ANY PERSON THAT VIOLATES THE PROVISIONS OF THIS SECTION
3 SHALL BE SUBJECT TO CIVIL REMEDIES AS PURSUED BY THE CARDHOLDER.

4 (6) (a) EXCEPT AS PROVIDED IN PARAGRAPH (c) OF THIS
5 SUBSECTION (5), THIS SECTION SHALL APPLY TO ANY ENTITY FORMED ON
6 AND AFTER THE EFFECTIVE DATE OF THIS SECTION THAT USES A CASH
7 REGISTER OR ANY OTHER MACHINE OR DEVICE THAT ELECTRONICALLY
8 IMPRINTS RECEIPTS ON CREDIT CARD TRANSACTIONS AND IS PLACED INTO
9 SERVICE ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION.

10 (b) EXCEPT AS PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION
11 (5), ON AND AFTER JANUARY 1, 2004, THIS SECTION SHALL APPLY TO ANY
12 CASH REGISTER AND ANY OTHER MACHINE OR DEVICE THAT
13 ELECTRONICALLY IMPRINTS RECEIPTS ON CREDIT CARD TRANSACTIONS FOR
14 ENTITIES THAT WERE FORMED ON OR BEFORE THE EFFECTIVE DATE OF THIS
15 SECTION.

16 (c) ON AND AFTER JANUARY 1, 2005, THIS SECTION SHALL APPLY
17 TO:

18 (I) INSTITUTIONS OF HIGHER EDUCATION; AND

19 (II) PERSONS WHO EMPLOY NO MORE THAN TWENTY-FIVE
20 EMPLOYEES OR WHO HAVE GENERATED NO MORE THAN FIVE MILLION
21 DOLLARS ANNUALLY IN REVENUES FROM THE PERSON'S BUSINESS
22 ACTIVITIES.

23 **SECTION 2. Effective date.** This act shall take effect at 12:01
24 a.m. on the day following the expiration of the ninety-day period after
25 final adjournment of the general assembly that is allowed for submitting
26 a referendum petition pursuant to article V, section 1 (3) of the state
27 constitution; except that, if a referendum petition is filed against this act

1 or an item, section, or part of this act within such period, then the act,
2 item, section, or part, if approved by the people, shall take effect on the
3 date of the official declaration of the vote thereon by proclamation of the
4 governor.