

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

**HOUSE BILL 357
RATIFIED BILL**

AN ACT TO PROHIBIT A PERSON THAT ACCEPTS CREDIT, CHARGE, OR DEBIT CARDS FOR THE TRANSACTION OF BUSINESS FROM PRINTING MORE THAN FIVE DIGITS OF A CREDIT, CHARGE, OR DEBIT CARD ACCOUNT NUMBER OR AN EXPIRATION DATE ON A SALES RECEIPT AND TO PROHIBIT A PERSON FROM SELLING A CASH REGISTER OR OTHER MACHINE OR DEVICE THAT ELECTRONICALLY PRINTS RECEIPTS OF CREDIT, CHARGE, OR DEBIT CARD TRANSACTIONS THAT CANNOT BE PROGRAMMED OR OPERATED TO PRODUCE A RECEIPT WITH FIVE OR FEWER DIGITS OF THE CREDIT, CHARGE, OR DEBIT CARD ACCOUNT NUMBER AND NO EXPIRATION DATE PRINTED ON THE RECEIPT.

The General Assembly of North Carolina enacts:

SECTION 1. Article 19C of Chapter 14 of the General Statutes is amended by adding two new sections to read:

"§ 14-113.24. Credit, charge, or debit card numbers on receipts.

(a) For purposes of this section, the word 'person' means the person that owns or leases the cash register or other machine or device that electronically prints receipts of credit, charge, or debit card transactions.

(b) Except as provided in this section, no person that accepts credit, charge, or debit cards for the transaction of business shall print more than five digits of the credit, charge, or debit card account number or the expiration date upon any receipt with the intent to provide the receipt to the cardholder at the point of sale. This section applies to a person who employs a cash register or other machine or device that electronically prints receipts for credit, charge, or debit card transactions that is first used on or after March 1, 2004. This section does not apply to a person whose sole means of recording a credit, charge, or debit card number for the transaction of business is by handwriting or by an imprint or copy of the credit, charge, or debit card.

(c) A person who violates this section commits an infraction as defined in G.S. 14-3.1 and is subject to a penalty of up to five hundred dollars (\$500.00) per violation, not to exceed five hundred dollars (\$500.00) in any calendar month or two thousand dollars (\$2,000) in any calendar year. A person who receives a citation for violation of this section is not subject to the penalty provided in this subsection if the person establishes in court that the person came into compliance with this section within 30 days of the issuance of the citation and the person has remained in compliance with this section.

"§ 14-113.25. Sale of certain cash registers and other receipt printing machines.

(a) No person shall sell or offer to sell a cash register or other machine or device that electronically prints receipts of credit, charge, or debit card transactions that cannot be programmed or operated to produce a receipt with five or fewer digits of the credit, charge, or debit card account number and no expiration date printed on the receipt. This subsection applies to cash registers or other machines or devices sold or offered for sale for use in the ordinary course of business in this State.

(b) A person who violates this section commits an infraction as defined in G.S. 14-3.1 and is subject to a penalty of up to five hundred dollars (\$500.00) per violation.

For purposes of assessing penalties pursuant to this subsection, the sale or offer for sale of each individual cash register or other machine or device that electronically prints receipts of credit, charge, or debit card transactions in violation of this section is treated as a separate violation."

SECTION 2. G.S. 14-113.24(b) reads as rewritten:

"(b) Except as provided in this section, no person that accepts credit, charge, or debit cards for the transaction of business shall print more than five digits of the credit, charge, or debit card account number or the expiration date upon any receipt with the intent to provide the receipt to the cardholder at the point of sale. This section applies to a person who employs a cash register or other machine or device that electronically prints receipts for credit, charge, or debit card ~~transactions that is first used on or after March 1, 2004.~~ transactions. This section does not apply to a person whose sole means of recording a credit, charge, or debit card number for the transaction of business is by handwriting or by an imprint or copy of the credit, charge, or debit card."

SECTION 3. G.S. 14-113.22(b) reads as rewritten:

"(b) Notwithstanding subsection (a), (a1), or (a2) of this section, any person who commits an act made unlawful by ~~this Article~~ G.S. 14-113.20 or G.S. 14-113.20A may also be liable for damages under G.S. 1-539.2C."

SECTION 4. Sections 1, 3, and 4 of this act become effective March 1, 2004. Section 2 of this act becomes effective July 1, 2005.

In the General Assembly read three times and ratified this the 9th day of June, 2003.

Beverly E. Perdue
President of the Senate

James B. Black
Speaker of the House of Representatives

Michael F. Easley
Governor

Approved _____m. this _____ day of _____, 2003