

# 2009 SESSION

INTRODUCED

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## HOUSE BILL NO. 2237

Offered January 14, 2009

Prefiled January 14, 2009

A *BILL to amend and reenact § 11-33.2 of the Code of Virginia, relating to improper use of payment device numbers; penalty.*

Patron—Valentine

Referred to Committee on General Laws

### Be it enacted by the General Assembly of Virginia:

#### 1. That § 11-33.2 of the Code of Virginia is amended and reenacted as follows:

§ 11-33.2. Improper use of payment device numbers.

A. No person, firm, partnership, association, or corporation that accepts payment devices for any purpose shall print (i) more than the last four digits of the payment device number or (ii) the expiration date on any receipt provided to the holder of the payment device.

B. For transactions in which the sole means of recording the person's payment device number is by handwriting or by an imprint or copy of the payment device, no receipt, other than the one original, shall display the information prohibited in subsection A. Returning all copies, including carbons, that do not comply with this section, to the payment device holder or authorized user or destroying such copies and carbons in front of the payment device holder or authorized user shall constitute compliance with this section.

C. The provisions of this section shall apply to all cash registers or other machines or devices that electronically print receipts for payment device transactions that are placed in service on or after July 1, 2003.

D. For all cash registers or other machines or devices that electronically print receipts for payment device transactions in service prior to July 1, 2003, the provisions of this subsection shall not apply until July 1, 2005.

E. Any violator of this section shall be liable to the payment device holder and the issuer for any damages or expenses, or both, including attorneys' fees, that the payment device holder incurs due to the use of the payment device without the permission of the payment device holder. *If the court finds that a person, firm, partnership, association, or corporation has willfully engaged in an act or practice in violation of this section, the Attorney General, the attorney for the Commonwealth, or the attorney for the county, city, or town may recover for the Literary Fund, upon petition to the court, a civil penalty of not more than \$1,000 per violation.*

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