

House Bill 2879

Sponsored by Representative LIM

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires merchant to verify identity of card holder in credit card or debit card transaction.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to credit card transactions; creating new provisions; amending ORS 646.894; and declaring
3 an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 646.894 is amended to read:

6 646.894. (1) A merchant that accepts a credit card or debit card for a transaction [*may*] **shall**
7 require that the credit card or debit card holder provide personal information, other than the per-
8 sonal information that appears on the face of the credit card or debit card, for the purposes of
9 verification of the card holder's identity. The merchant may not write the information on the credit
10 card or debit card transaction form.

11 (2) This section may not be construed to prevent a merchant from requesting and keeping in
12 written form information necessary for shipping, delivery or installation of purchased goods or ser-
13 vices, or for warranty [*when the information is provided voluntarily by a credit card or debit card*
14 *holder*].

15 (3) Any provision in a contract between a merchant and a credit card or debit card issuer, fi-
16 nancial institution or other person that prohibits the merchant from verifying the identity of a per-
17 son who presents a credit card or debit card in payment for goods or services by requiring or
18 requesting identification is contrary to public policy and void.

19 (4) Nothing in this section may be construed to[:]

20 [*(a) Compel a merchant to verify the identity of a person who presents a credit card or debit card*
21 *in payment for goods or services; or]*

22 [*(b) interfere with the ability of a merchant to make and enforce policies regarding verification*
23 *of the identity of a person who presents a credit card or debit card in payment for goods or services.*

24 (5) As used in this section, "merchant" means a person who, in the ordinary course of that
25 person's business, permits persons to present credit cards or debit cards in payment for goods or
26 services.

27 **SECTION 2.** The amendments to ORS 646.894 by section 1 of this 2007 Act apply to credit
28 card and debit card transactions conducted on or after the effective date of this 2007 Act.

29 **SECTION 3.** This 2007 Act being necessary for the immediate preservation of the public
30 peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect
31 on its passage.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

