

2001 DRAFTING REQUEST

Bill

Received: **09/26/2001**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Jon Erpenbach (608) 266-6670**

By/Representing: **Julie**

This file may be shown to any legislator: **NO**

Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Trade Regulation - other**

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Disclosure of credit card numbers printed on receipts

Instructions:

Prohibit all retailers from providing credit card receipts that print the entire credit card number. The prohibition should not apply to receipts prepared manually.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rkite 10/31/2001	gilfokm 11/02/2001		_____			
/1			pgreensl 11/02/2001	_____	lrb_docadmin 11/02/2001		
/2	rkite 11/14/2001	gilfokm 11/14/2001	pgreensl 11/16/2001	_____	lrb_docadmin 11/16/2001		
/3	rkite 11/28/2001	gilfokm 11/28/2001	pgreensl 11/28/2001	_____	lrb_docadmin 11/28/2001	lrb_docadmin 11/28/2001	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/4	rkite 12/19/2001	jdye 12/26/2001	rschlue 01/03/2002	_____	lrb_docadmin 01/03/2002	lrb_docadmin 01/03/2002	

FE Sent For:

<END>

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/3	rkite 11/28/2001	gilfokm 11/28/2001	pgreensl 11/28/2001	_____	lrb_docadmin 11/28/2001	lrb_docadmin 11/28/2001	

Handwritten notes: 14 12/46 jld 1-3-2

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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/?	rkite 10/31/2001	gilfokm 11/02/2001					
/1			pgreensl 11/02/2001	<i>11/28</i> 11/28	lrb_docadmin 11/02/2001		
/2	rkite 11/14/2001	gilfokm 11/14/2001	pgreensl 11/16/2001	<i>PS/MS</i>	lrb_docadmin 11/16/2001		

*Please jacket
RNK*

FE Sent For:

*1/3 - 1/28
kmg* *1/28
PB*

001 DRAFTING REQUEST

Bill

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By/Representing: **Julie**

This file may be shown to any legislator: **NO**

Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Trade Regulation - other**

Extra Copies:

Submit via email: **NO**

Pre Topic:

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/?	rkite 10/31/2001	gilfokm 11/02/2001					
/1		12-11/14 kmg	pgrcns1 11/02/2001	11/16 [Signature]	1rb_docadmin 11/02/2001		
FE Sent For:			11/16 [Signature]				<END>

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1?	rkite	1-1/2 KMG	1/2 PK	1/2 PK/rkite			

FE Sent For:

<END>

D-Note

KMG

2001 BILL

The bill does not apply to a person who issues a handwritten receipt or a receipt that is manually prepared by making an imprint of a credit or debit card.

1 AN ACT to create 134.74 of the statutes; relating to: nondisclosure of certain
2 information on credit and debit card receipts.

Analysis by the Legislative Reference Bureau

at retail who sells

This bill prohibits a person who sells goods or services from including certain information on a sales receipt if the receipt is for a purchase made with the use of a credit or debit card. The bill specifies that the seller may not include more than the last five digits of the credit or debit card number on the receipt. ~~It also prohibits the seller from including the card's expiration date on the receipt.~~

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 134.74 of the statutes is created to read:
4 **134.74 Nondisclosure of information on receipts.** (1) In this section:
5 (a) "Credit card" has the meaning given in s. 421.301 (15).
6 (b) "Debit card" means a plastic card or similar device that may be used to
7 purchase goods or services by providing the purchaser with direct access to the
8 purchaser's account at a depository institution.

BILL

1 (c) "Depository institution" means a bank, savings bank, savings and loan
2 association, or credit union.

3 (2) No person who ^{is in the business of selling goods at retail} sells goods or ^{selling} services and ^{who} accepts ^a credit cards or ^a debit cards
4 for the purchase of goods or services may issue a credit card or debit card receipt on
5 which is printed more than the last 5 digits of the credit card or debit card number
6 ~~or the date on which the credit card or debit card expires.~~

7 **SECTION 2. Initial applicability.**

8 (1) This act first applies to purchases made on the effective date of this
9 subsection.

10 (END)

, for that purchase,

(B)
(3) This section does not apply to a person who issues a credit card or debit card receipt that is handwritten or that is manually prepared by making an imprint of the credit card or debit card.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3889/1dn

RNK/.....

King

This draft prohibits the printing of more than the last five digits of a credit card number on a receipt. I have included debit cards under the scope of this draft although I do not know as a practical matter whether receipts for debit card purchases customarily contain account numbers. If you did not intend to include debit cards under this draft, or if you intended to prohibit the printing of more or fewer digits of the card number on the receipt, please let me know and I will redraft accordingly.

This draft applies not only to the retail sale of goods but also to the sale of services. I have included services because goods are often sold as a component of a service. Is this consistent with your intent?

This draft does not specify a penalty for a violation of the prohibition created in the draft. Current law provides under s. 939.61 (1) that if no penalty is specified, a person who violates an act or omission prohibited by statute is subject to a forfeiture of \$200. Please let me know if you would like to provide for a different penalty.

If you have any other questions concerning this draft, please feel free to contact me.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3889/1dn
RNK:kmg:pg

November 2, 2001

This draft prohibits the printing of more than the last five digits of a credit card number on a receipt. I have included debit cards under the scope of this draft although I do not know as a practical matter whether receipts for debit card purchases customarily contain account numbers. If you did not intend to include debit cards under this draft, or if you intended to prohibit the printing of more or fewer digits of the card number on the receipt, please let me know and I will redraft accordingly.

This draft applies not only to the retail sale of goods but also to the sale of services. I have included services because goods are often sold as a component of a service. Is this consistent with your intent?

This draft does not specify a penalty for a violation of the prohibition created in the draft. Current law provides under s. 939.61 (1) that if no penalty is specified a person who violates an act or omission prohibited by statute is subject to a forfeiture of \$200. Please let me know if you would like to provide for a different penalty.

If you have any other questions concerning this draft, please feel free to contact me.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

Emery, Lynn

From: Emery, Lynn
Sent: Friday, November 09, 2001 3:46 PM
To: Laundrie, Julie
Subject: LRB-3889/1 & 1dn (attached as requested)

Lynn Emery

Lynn Emery - Program Asst. (PH. 608-266-3561)
(E-Mail: lynn.emery@legis.state.wi.us) (FAX: 608-264-6948)

Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703

11/9/2001

For Julie -

Redraft:

only applies to persons w/ equipment that
can print receipts w/ only last 5
digits

people whose equip cannot do this are
grandfathered until they purchase
new equipment



2001 BILL

on a receipt printed with a device that cannot be made to print only the last five digits of the credit or debit card number

1 AN ACT to create 134.74 of the statutes; relating to: nondisclosure of certain
2 information on credit and debit card receipts.

Analysis by the Legislative Reference Bureau

This bill prohibits a person who sells goods at retail or who sells services from including certain information on a sales receipt if the receipt is for a purchase made with the use of a credit or debit card. The bill specifies that the seller may not include more than the last five digits of the credit or debit card number on the receipt. The bill does not apply to a person who issues a handwritten receipt, a receipt that is manually prepared by making an imprint of a credit or debit card.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 134.74 of the statutes is created to read:
4 **134.74 Nondisclosure of information on receipts.** (1) In this section:
5 (a) "Credit card" has the meaning given in s. 421.301 (15).
6 (b) "Debit card" means a plastic card or similar device that may be used to
7 purchase goods or services by providing the purchaser with direct access to the
8 purchaser's account at a depository institution.

BILL

1 (c) "Depository institution" means a bank, savings bank, savings and loan
2 association, or credit union.

3 (2) No person who is in the business of selling goods at retail or selling services
4 and who accepts a credit card or a debit card for the purchase of goods or services may
5 issue a credit card or debit card receipt, for that purchase, on which is printed more
6 than the last 5 digits of the credit card or debit card number.

7 (3) This section does not apply to ^{any of the following: 4(a)} a person who issues a credit card or debit card
8 receipt ^{that} is handwritten or that is manually prepared by making an imprint of the
9 credit card or debit card.

10 **SECTION 2. Initial applicability.**

11 (1) This act first applies to purchases made on the effective date of this
12 subsection.

13 (END)

(b) A person who ^{uses a device to} issue a ^{printed} credit card or
debit card receipt ^{if the device cannot} that ^{is handwritten or that is manually prepared by making an imprint of the}
receipts containing no ^{more than} the last 5 digits of
a credit card or debit card number, ^{and}
that ^{person used only that} device ^{was owned by that person} used only that device

on the effective date of this paragraph
... [revisor inserts date].

or cannot be
modified to
print

to issue receipts

Emery, Lynn

From: Emery, Lynn
Sent: Monday, November 19, 2001 12:04 PM
To: Laundrie, Julie
Subject: LRB-3889/2 (attached as requested)

Lynn Emery

Lynn Emery - Program Asst. (PH. 608-266-3561)
(E-Mail: lynn.emery@legis.state.wi.us) (FAX: 608-264-6948)

Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703

11/19/2001



2001 BILL

1 **AN ACT to create** 134.74 of the statutes; **relating to:** nondisclosure of certain
2 information on credit and debit card receipts.

Analysis by the Legislative Reference Bureau

This bill prohibits a person who sells goods at retail or who sells services from including certain information on a sales receipt if the receipt is for a purchase made with the use of a credit or debit card. The bill specifies that the seller may not include more than the last five digits of the credit or debit card number on the receipt. The bill does not apply to a person who issues a handwritten receipt, a receipt that is manually prepared by making an imprint of a credit or debit card, ^{or} a receipt printed with a device that cannot be made to print only the last five digits of the credit or debit card number.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 134.74 of the statutes is created to read:
4 **134.74 Nondisclosure of information on receipts.** (1) In this section:
5 (a) "Credit card" has the meaning given in s. 421.301 (15).

BILL

1 (b) "Debit card" means a plastic card or similar device that may be used to
2 purchase goods or services by providing the purchaser with direct access to the
3 purchaser's account at a depository institution.

4 (c) "Depository institution" means a bank, savings bank, savings and loan
5 association, or credit union.

6 (2) No person who is in the business of selling goods at retail or selling services
7 and who accepts a credit card or a debit card for the purchase of goods or services may
8 issue a credit card or debit card receipt, for that purchase, on which is printed more
9 than the last 5 digits of the credit card or debit card number.

10 (3) This section does not apply to ~~any of the following~~

11 ~~(a) A~~ ^{any} person who issues a credit card or debit card receipt that is handwritten
12 or that is manually prepared by making an imprint of the credit card or debit card.

13 ~~(b) A person who uses a device to issue a printed credit card or debit card receipt
14 if the device cannot print, or cannot be modified to print, receipts containing no more
15 than the last 5 digits of a credit card or debit card number, and if that person used
16 only that device to issue receipts on the effective date of this paragraph [revisor
17 inserts date].~~

SECTION 2. Initial applicability.

18 (1) This act first applies to purchases made on the effective date of this
19 subsection.

20 Insert →
21

(END)

2001

Insert

Nonstat File Sequence:

FFF

LRB 3889 13

RNK : : :

EFFECTIVE DATE

1. In the component bar: For the action phrase, execute: ... **create** → **action:** → *NS: → **effdate**
For the text, execute: **create** → **text:** → *NS: → **effdateA**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

SECTION # _____ . Effective date.

(#1) *13* This act takes effect on *the first day of the 13th month beginning after publication.*

1. In the component bar: For the action phrase, execute: .. **create** → **action:** → *NS: → **effdateE**
For the text, execute: **create** → **text:** → *NS: → **effdate**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

SECTION # _____ . Effective dates;

..... This act takes effect on the day after publication, except as follows:
(#1) () The treatment of sections of the statutes takes effect on

1. In the component bar: For the budget action phrase, execute:.. **create** → **action:** → *NS: → **94XX**
For the text, execute: **create** → **text:** → *NS: → **effdate**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the **9400** department code.

SECTION 94 _____ . Effective dates;

(#1) () The treatment of sections of the statutes takes effect on

Kite, Robin

From: Laundrie, Julie
Sent: Tuesday, December 18, 2001 12:52 PM
To: Kite, Robin
Subject: Redraft

Hi Robin,

Senator Erpenbach would like an identical draft to the request Erin just made for his LRB 3889. Hopefully this is the last time ☺

Call with questions - I am sending back /3

Julie

*Talked to Julie re: no penalties specified -
wants only general penalty under current law (\$200) to
apply*



2001 BILL

Regen

1 AN ACT to create 134.74 of the statutes; relating to: nondisclosure of certain
2 information on credit and debit card receipts.

Analysis by the Legislative Reference Bureau

(*) This bill prohibits a person who sells goods at retail or who sells services from including certain information on a sales receipt if the receipt is for a purchase made with the use of a credit or debit card. The bill specifies that the seller may not include more than ~~more than~~ five digits of the credit or debit card number on the receipt. The bill does not apply to a person who issues a handwritten receipt or a receipt that is manually prepared by making an imprint of a credit or debit card.

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7 purchase goods or services by providing the purchaser with direct access to the
8 purchaser's account at a depository institution.

BILL

*Beginning on the first day of the 37th month
beginning after the effective date of the subsection.... [revisor inserts date]*

this

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(c) "Depository institution" means a bank, savings bank, savings and loan association, or credit union.

(2) No person who is in the business of selling goods at retail or selling services and who accepts a credit card or a debit card for the purchase of goods or services may issue a credit card or debit card receipt, for that purchase, on which is printed more than ~~the~~ *the* last 5 digits of the credit card or debit card number.

(3) This section does not apply to any person who issues a credit card or debit card receipt that is handwritten or that is manually prepared by making an imprint of the credit card or debit card.

~~**SECTION 2. Initial applicability.**~~

~~(1) This act first applies to purchases made on the effective date of this subsection.~~

~~**SECTION 3. Effective date.**~~

~~(1) This act takes effect on the first day of the 13th month beginning after publication.~~

(END)