

HOUSE No. 01885

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the verification of consumers' identity prior to the issuance of a credit card..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Donald F. Humason, Jr.</i>	<i>4th Hampden</i>
<i>Angelo D'Emilia</i>	<i>8th Plymouth</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Shaunna O'Connell</i>	<i>3rd Bristol</i>
<i>George Ross</i>	<i>2nd Bristol</i>
<i>Donald Wong</i>	<i>9th Essex</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Sheila Harrington</i>	<i>1st Middlesex</i>
<i>Steven L. Levy</i>	<i>4th Middlesex</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>
<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>
<i>Bradford Hill</i>	<i>4th Essex</i>
<i>Elizabeth Poirier</i>	<i>14th Bristol</i>
<i>Viriato Manuel deMacedo</i>	<i>1st Plymouth</i>

HOUSE No. 01885

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 1885) of Frost and others relative to consumer identity verification prior to the issuance of credit cards Joint Committee on Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 259 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the verification of consumers' identity prior to the issuance of a credit card..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1: Section 15A of chapter 140D of the General Laws, as appearing in the 2008
- 2 Official Edition, is hereby amended by adding at the end thereof the following paragraph:—
- 3 Any card issuer who receives an acceptance from a consumer residing in the commonwealth of
- 4 an offer of credit by any application form or pre-approved written solicitation for an open-end
- 5 credit plan mailed or distributed to such consumer in accordance with this section, whether such
- 6 issuer is located within or without the commonwealth, that lists the address of the consumer
- 7 accepting the offer as different from the address to which the offer was sent shall prior to issuing
- 8 or directing issuances of the credit card, verify that the consumer accepting the offer is the same
- 9 consumer to whom the offer was sent. For the purposes of this section, a card issuer shall be

10 deemed to have verified that the consumer accepting the offer is the same consumer to whom the
11 offer was sent if:

12 (1) A consumer responding at a telephone number appearing in a publicly available directory or
13 database as the telephone number of the consumer to whom the solicitation was mailed identifies
14 himself as the consumer to whom the solicitation was mailed and acknowledges the consumer's
15 acceptance of the solicitation; or

16 (2) A consumer presents the card issuer, including presentation by facsimile transmission or
17 mail, the original or a copy of one or more documents, including a driver's license, social
18 security card, passport, or any other identification document issued by a state or federal
19 governmental agency, that, on the face of the document or documents, appears to confirm such
20 consumer's identity as the consumer to whom a solicitation was mailed and the consumer
21 acknowledges acceptance of the offer in question; or

22 (3) The solicitor verified, by any means adopted in federal regulations, that the consumer
23 accepting the solicitation is the consumer to whom the solicitation was directed.