

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr., George N. Peterson, 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:
Viriato Manuel deMacedo	1st Plymouth
Bradley H. Jones, Jr.	20th Middlesex
George N. Peterson, Jr.	9th Worcester
Elizabeth Poirier	14th Bristol

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 255 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

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 2004
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.