
ENGROSSED SUBSTITUTE HOUSE BILL 1870

State of Washington

63rd Legislature

2013 Regular Session

By House Business & Financial Services (originally sponsored by Representatives Habib, Kirby, Ryu, Van De Wege, Takko, Hunter, Appleton, Tarleton, Sawyer, Seaquist, Pollet, Bergquist, and Johnson)

READ FIRST TIME 02/22/13.

1 AN ACT Relating to methods of payment; amending RCW 19.200.010; and
2 adding new sections to chapter 19.200 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 19.200 RCW
5 to read as follows:

6 The definitions in this section apply throughout this chapter
7 unless the context clearly requires otherwise.

8 (1) "Credit card" means a card or device existing for the purpose
9 of obtaining money, property, labor, or services on credit.

10 (2) "Debit card" means a card or device used to obtain money,
11 property, labor, or services by a transaction that debits a
12 cardholder's account, rather than extending credit.

13 (3) "Discount" means a reduction made from the price that customers
14 are informed is the regular price. It does not include any means of
15 increasing the price that customers are informed is the regular price.

16 **Sec. 2.** RCW 19.200.010 and 2009 c 382 s 1 are each amended to read
17 as follows:

18 (1) The legislature finds that credit and debit cards are important

1 tools for consumers in today's economy. The legislature also finds
2 that unscrupulous persons often fraudulently use the card accounts of
3 others by stealing the card itself or by obtaining the necessary
4 information to fraudulently charge the purchase of goods and services
5 to another person's account. The legislature intends to provide some
6 protection for consumers from the latter by limiting the information
7 that can appear on a card receipt.

8 (2) No person that accepts credit or debit cards for the
9 transaction of business shall print more than the last five digits of
10 the card account number or print the card expiration date on a credit
11 or debit card receipt. This includes all receipts kept by the person
12 or provided to the cardholder.

13 (3) This section shall apply only to receipts that are
14 electronically printed and shall not apply to transactions in which the
15 sole means of recording the card number is by handwriting or by an
16 imprint or copy of the credit or debit card.

17 ~~((4) The definitions in this section apply throughout this chapter
18 unless the context clearly requires otherwise.~~

19 ~~(a) "Credit card" means a card or device existing for the purpose
20 of obtaining money, property, labor, or services on credit.~~

21 ~~(b) "Debit card" means a card or device used to obtain money,
22 property, labor, or services by a transaction that debits a
23 cardholder's account, rather than extending credit.)~~

24 NEW SECTION. Sec. 3. A new section is added to chapter 19.200 RCW
25 to read as follows:

26 (1)(a) Any person that imposes a surcharge on a cardholder who
27 elects to use a credit card in lieu of payment by cash, check, or
28 similar means must clearly and conspicuously disclose the surcharge.

29 (b) If a surcharge for the use of a credit card is being imposed in
30 a transaction at a physical location, the disclosure required in (a) of
31 this subsection must be conspicuously and continuously posted at the
32 location. The disclosure must be in a size and location that is easily
33 seen and read by a consumer prior to a sale.

34 (c) If a surcharge for the use of a credit card is being imposed in
35 an electronic transaction, the disclosure required in (a) of this
36 subsection must be provided prior to the point where a consumer is
37 going to approve any final transaction.

1 (2)(a) Any person that accepts credit cards for the transaction of
2 business may offer a discount for the purpose of inducing payment by
3 cash, check, or other means not involving the use of a credit card.
4 The discount must be offered to all prospective buyers and the
5 availability of the discount must be clearly and conspicuously
6 disclosed.

7 (b) If a discount for the use of a payment method other than a
8 credit card is allowed in a transaction at a physical location, the
9 disclosure required in (a) of this subsection must be conspicuously and
10 continuously posted at the location. The disclosure must be in a size
11 and location that is easily seen and read by a consumer prior to a
12 sale.

13 (c) If a discount for the use of a payment method other than a
14 credit card is allowed in an electronic transaction, the disclosure
15 required in (a) of this subsection must be provided prior to the point
16 where a consumer is going to approve any final transaction.

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