

By: Hughes

S.B. No. 1381

A BILL TO BE ENTITLED

AN ACT

relating to photo identification for certain debit or credit card transactions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle A, Title 11, Business & Commerce Code, is amended by adding Chapter 508 to read as follows:

CHAPTER 508. REQUIRING VERIFICATION OF IDENTITY FOR CERTAIN CARD
TRANSACTIONS

Sec. 508.001. DEFINITIONS. In this chapter:

(1) "Cardholder" means the person named on the face of a credit card or debit card to whom or for whose benefit the credit card or debit card is issued.

(2) "Credit card" means a card or device issued under an agreement by which the issuer gives to a cardholder the right to obtain credit from the issuer or another person.

(3) "Debit card" means a card, device, or other means of access to an individual's account at a financial institution that the individual may use to initiate electronic fund transfers.

(4) "Merchant" means a person in the business of selling goods or services.

(5) "Photo identification" means a card or other document that:

(A) is issued by a governmental entity to identify an individual; and

1 (B) displays a photograph of the individual
2 identified on the card or other document.

3 Sec. 508.002. REQUIRING PHOTO IDENTIFICATION FOR CREDIT OR
4 DEBIT CARD TRANSACTION. (a) A merchant, in a point of sale
5 transaction, may require the individual using the credit card or
6 debit card to provide photo identification verifying the
7 individual's identity as the cardholder.

8 (b) A merchant may choose to not accept the card for payment
9 if the individual fails to provide photo identification verifying
10 the individual's identity as the cardholder.

11 SECTION 2. This Act takes effect January 1, 2018.