

**CITY OF BALTIMORE
COUNCIL BILL 08-0232
(First Reader)**

Introduced by: Councilmembers Conaway, Young, Middleton, D’Adamo, Holton, Kraft, Curran,
Henry, Clarke, Branch, Welch

Introduced and read first time: November 17, 2008

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Baltimore City State’s Attorney’s
Office, Department of Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Charge Cards – Protection of Account Number**

3 FOR the purpose of prohibiting the creation or retention of certain records that contain certain
4 charge card information; defining certain terms; imposing certain penalties; and generally
5 relating to the protection of charge card information.

6 BY adding

7 Article 2 - Consumer Protections
8 Section(s) 18-1, to be under the new subtitle,
9 “Subtitle 18. Miscellaneous”
10 Baltimore City Code
11 (Edition 2000)

12 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
13 Laws of Baltimore City read as follows:

14 **Baltimore City Code**

15 **Article 2. Consumer Protections**

16 **SUBTITLE 18. MISCELLANEOUS**

17 **§ 18-1. RECORD OF CHARGE CARD TRANSACTIONS.**

18 (A) *DEFINITIONS.*

19 (1) *IN GENERAL.*

20 IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

21 (2) *CHARGE CARD.*

22 “CHARGE CARD” MEANS ANY CREDIT CARD OR DEBIT CARD.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 (3) *MERCHANT.*

2 “MERCHANT” MEANS ANY PERSON ENGAGED IN THIS CITY IN THE BUSINESS OF
3 SELLING GOODS, SERVICES, REALTY, OR CREDIT.

4 (B) *RECEIPTS, ETC., TO BE REDACTED.*

5 IF A MERCHANT IS PAID, IN WHOLE OR IN PART, THROUGH A CHARGE CARD, THE
6 MERCHANT MAY NOT CREATE OR, IF PREVIOUSLY CREATED, RETAIN ANY RECEIPT OR
7 OTHER RECORD OF THE PAYMENT THAT CONTAINS:

8 (1) THE CARD’S ACCOUNT NUMBER, OTHER THAN THE LAST 4 DIGITS; OR

9 (2) THE CARD’S SECURITY CODE NUMBER, IF ANY.

10 (C) *PENALTIES.*

11 ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS GUILTY OF A
12 MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE AS FOLLOWS:

13 (1) FOR A 1ST OFFENSE, \$500; AND

14 (2) FOR EACH SUBSEQUENT OFFENSE, \$1,000.

15 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
16 are not law and may not be considered to have been enacted as a part of this or any prior
17 Ordinance.

18 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
19 after the date it is enacted.