

A BILL FOR AN ACT

To establish mandatory presentation of valid personal photo identification for any debit card or credit card transaction made in person and any check cash exchange or purchase for all business establishments in the Commonwealth.

BE IT ENACTED BY THE TWENTY-FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 **Section 1. Findings and Purpose.** The Legislature finds that there are currently
2 no regulations in the Commonwealth that protect people from theft through the use of
3 stolen debit cards or credit cards. In addition, since there are no regulations in place that
4 require the presentation of a valid personal identification, business establishments in the
5 Commonwealth are not mandated to require presentation of a valid identification at the
6 store counters. The Legislature finds that this is problematic and that regulations must be
7 put in place to protect debit and credit card holders or check holders whose cards or
8 checks have been stolen.

9 Therefore, the purpose of this Act is to establish mandatory regulations that
10 prohibit business establishments in the Commonwealth from engaging in business
11 transactions in person through the use of debit cards, credit cards or checks without the
12 presentation of a valid personal identification.

13 **Section 2. Enactment.** Subject to the codification of the Law Revision
14 Commission, the following is enacted as follows:

15 **“Section 101. Definitions.** As used in this Act:

16 (a) “Credit card” means any card, plate, coupon book, or other single
17 credit device existing for the purpose of being used from time to time upon
18 presentation to obtain money, property, labor, or goods and services on credit.

1 (b) "Business establishment" means a commercial or industrial
2 establishment where business is conducted, goods are made or stored or processed
3 or where services are rendered.

4 (c) "Business transaction" means an event involving an interchange of
5 goods, cash, checks, debit cards, credit cards or services between two or more
6 parties that occurs in person. For purposes of this Act, business transactions shall
7 not include ATM transactions and internet business transactions.

8 (d) "Debit card" means a card issued by a bank allowing the holder to
9 transfer money electronically to another bank account when making a purchase or
10 to be used to obtain property, labor, or goods and services.

11 (e) "Checks" means any check which includes personal checks, cashiers
12 checks, payroll checks, or third-party checks to which can be used to make
13 monetary cash exchanges or to obtain property, labor, or goods and services.

14 **Section 102. Mandatory Identification Check.**

15 (a) Except as provided in subsection (b) of this section, all business
16 establishments in the Commonwealth shall require presentation of valid personal
17 identification for any business transaction using debit cards, credit cards and any check
18 cash exchanges or purchases.

19 (b) Business establishments may accept presentation of a valid personal
20 identification of the owner of a debit or credit card with a notarized letter authorizing
21 another person to use the credit card for any business transaction.

22 **Section 103. Penalties.**

23 Any business establishment found guilty of violating Section 102 shall be ordered
24 to make restitution for any financial loss sustained by a victim as a result of such
25 violation and there is no reversal of unauthorized credit card charges and fees shall be
26 subject to a civil penalty not more than \$250.00 for the first violation and \$1,000.00 for
27 each subsequent violation.

28 **Section 104. Enforcement Powers.**

1 The Department of Commerce shall enforce the provisions of this Act.”

2 **Section 3. Severability.** If any provision of this Act or the application of any
3 such provision to any person or circumstance should be held invalid by a court of
4 competent jurisdiction, the remainder of this Act or the application of its provisions to
5 persons or circumstances other than those to which it is held invalid shall not be affected
6 thereby.

7 **Section 4. Savings Clause.** This Act and any repealer contained herein shall not
8 be construed as affecting any existing right acquired under contract or acquired under
9 statutes repealed or under any rule, regulation or order adopted under the statutes.
10 Repealers contained in this Act shall not affect any proceeding instituted under or
11 pursuant to prior law. The enactment of this Act shall not have the effect of terminating,
12 or in any way modifying, any liability, civil or criminal, which shall already be in
13 existence on the date this Act becomes effective.

14 **Section 5. Effective Date.** This Act shall take effect upon its approval by the
15 Governor or its becoming law without such approval.

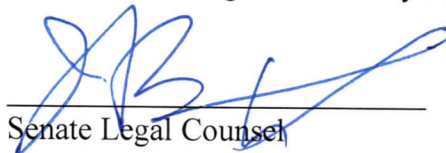
Date: 2/14/25

Introduced By: _____



Senator Francisco Q. Cruz

Reviewed for Legal Sufficiency By:



Senate Legal Counsel