

## CHAPTER 325G

### CONSUMER PROTECTION; SOLICITATION OF SALES

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#### 325G.02 DEFINITIONS.

*[For text of subd 1, see M.S.1984]*

Subd. 2. "Financial transaction card" means an instrument or device, whether known as a credit card, credit plate, charge plate, courtesy card, bank services card, banking card, check guarantee card, debit card, or by any other name issued with or without fee by an issuer for the use of the holder to obtain credit, money, goods, services, or anything else of value, but does not mean a telephone company credit card.

*[For text of subd 3, see M.S.1984]*

Subd. 4. "Issuer" means a person or firm or its duly authorized agent, that issues a financial transaction card.

**History:** 1985 c 243 s 1,2

#### 325G.03 UNSOLICITED FINANCIAL TRANSACTION CARDS.

No person in whose name a financial transaction card is issued shall be liable for any amount resulting from use of that card from which he or a member of his family or household derives no benefit unless he has accepted the card by (1) signing or using the card, or (2) authorizing the use of the card by another. A mere failure to destroy or return an unsolicited financial transaction card is not such an acceptance. Signing or using a card is not acceptance if those acts were performed under duress as defined under section 609.08.

**History:** 1985 c 243 s 3

#### 325G.04 LOST OR STOLEN FINANCIAL TRANSACTION CARDS.

Subdivision 1. No person in whose name a financial transaction card has been issued which he has accepted as provided in section 325G.03 shall be liable for any amount in excess of \$50 resulting from the unauthorized use of the card from which he or a member of his family or household derives no benefit; provided, however, that the limitation on liability of this subdivision shall be effective only if the issuer is notified of any unauthorized charges contained in a bill within 60 days of receipt of the bill by the person in whose name the card is issued.

Subd. 2. No person in whose name a financial transaction card is issued shall be liable for any amount resulting from the unauthorized use of the financial transaction card after receipt by the issuer of notice that the card has been lost or stolen and from which such person or a member of his family or household derives no benefit.

**History:** 1985 c 243 s 4

**325G.041 MARRIED WOMAN; NAME ON CARD.**

If a financial transaction card issuer has determined in the normal course of business that it will issue a card to a married woman, the card shall be issued bearing either her current or former surname, as the woman may direct.

Financial transaction card issuers may require that a married woman requesting a card in a former surname open a new account in that name. Refusal to issue a financial transaction card pursuant to this section constitutes an unfair discriminatory practice under section 363.03, subdivision 8.

**History:** 1985 c 243 s 5

**325G.05 DISPUTED ACCOUNTS.**

Subdivision 1. **Billing information.** Every financial transaction card issuer shall include on each billing statement the name, address, and telephone number of the department designated by it to receive requests by the customer account holder to correct mistakes or make adjustments to the billing statement.

Subd. 2. **Required response.** Every financial transaction card issuer, within 30 days of receipt from a customer account holder, in writing at the address specified in subdivision 1, of a questioned or disputed charge, shall conduct an individual inquiry into the facts and send to the customer account holder an explanatory response in clear and definite terms.

Subd. 3. **Violation.** A violation of this section shall be treated as a violation of section 325F.69.

**History:** 1985 c 243 s 6