

Regular Session, 2013

# ACT No. 315

HOUSE BILL NO. 425

BY REPRESENTATIVE HENRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To enact R.S. 6:1013.1, relative to check cashing facilities; to provide for cashing certain government checks; to provide for records retention; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 6:1013.1 is hereby enacted to read as follows:

§1013.1. Cashing federal and state treasury checks; records retention

A. No licensee shall cash a United States Treasury tax refund check or state tax refund check in an amount of one thousand dollars or greater unless the person requesting that the check be cashed submits any one of the following:

(1) A valid current Louisiana driver's license that contains a photograph of the person presenting the driver's license.

(2) A valid current driver's license of another state that contains a photograph and the date of birth of the person submitting the driver's license.

(3) A valid current special identification card issued by the state of Louisiana pursuant to R.S. 40:1321 containing a photograph of the person submitting the identification card.

(4) A valid current passport or visa issued by the federal government or another country or nation, that contains a permanently attached photograph and the date of birth of the person submitting the passport or visa.

1           (5) A valid current military or federal identification card issued by the  
2           federal government containing a photograph and the date of birth of the person  
3           submitting the identification card.

4           B.(1) No form of identification required by Subsection A of this Section  
5           shall be accepted as proof of identification if it is expired, defaced, mutilated, or  
6           altered. If the state identification card or lawful identification submitted is a  
7           duplicate, the person shall submit additional identification that contains the name,  
8           date of birth, and photograph of the person. A duplicate driver's license shall be  
9           considered lawful identification for the purposes of this Section, and a person shall  
10          not be required to submit additional information containing the name, date of birth,  
11          and picture of the person.

12          (2) An educational institution identification card, check cashing  
13          identification card, or employee identification card shall not be considered as lawful  
14          identification for the purposes of this Section.

15          C. Each licensee shall maintain the following records and information for  
16          each United States Treasury tax refund check or state tax refund check in an amount  
17          of one thousand dollars or greater cashed by the licensee:

18                 (1) The date on which the check is cashed.

19                 (2) The number of the check and the face amount of the check.

20                 (3) The name of the drawer of the check that is cashed.

21                 (4) The name, home address, and date of birth of the person for whom the  
22          check is cashed and a copy of the photo identification presented as required in this  
23          Section.

24                 (5) A copy of the front and back of the check that is cashed.

25          D. Notwithstanding the provisions of R.S. 6:1013(B), each licensee shall  
26          maintain the records and information required by this Section for at least three years  
27          from the date on which the check is cashed.

1 Section 2. This Act shall become effective on November 1, 2013.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_