

SF0171SW001

- 1 Delete the Senate standing committee amendment (SF0171SS001/A)
2 entirely and further amend as follows:
3
- 4 Page 1-line 1 Delete "relating to banks, banking and
5 finance;" and insert "administration of the
6 government;".
7
- 8 Page 1-line 4 After "specified;" delete balance of line.
9
- 10 Page 1-line 5 Delete line through "specified;".
11
- 12 Page 4-lines 4 through 9 Delete entirely and insert:
13
- 14 "(vii) The creation or maintenance of records of
15 purchases of firearms or ammunition or the tracking of sales made
16 by a retailer of firearms or ammunition by a nongovernmental
17 entity, including a credit card processor, without a substantial
18 and historical business need or a requirement imposed by law, may
19 frustrate the right to keep and bear arms and violate the
20 reasonable privacy rights of lawful purchasers of firearms or
21 ammunition; and".
22
- 23 Page 4-line 17 Delete "13-10-401 through".
24
- 25 Page 4-line 18 Delete "13-10-406" and insert "9-14-301
26 through 9-14-304".
27
- 28 Page 4-line 23 Delete "13-10-405 or 13-10-406(a)" and insert
29 "9-14-303".
30
- 31 Page 5-line 4 Delete "ARTICLE 4" and insert "ARTICLE 3".
32
- 33 Page 5-line 5 After "PRIVACY" insert "ACT".
34
- 35 Page 5-after line 5 Insert:
36
- 37 **"9-14-301. Short title.**
38
- 39 This article shall be known and may be cited as the "Second
40 Amendment Financial Privacy Act".
41
- 42 Page 5-line 7 Delete "**13-10-401**" and insert "**9-14-302**".
43
- 44 Page 5-line 11 Delete "financial".

1
2 Page 5-line 12 Delete "institution" and insert "credit card
3 processor".
4
5 Page 5-line 15 Delete "financial institution" and insert
6 "credit card processor".
7
8 Page 5-lines 20 through 22 Delete entirely and insert:
9
10 "(ii) "Customer" means any person engaged in a payment
11 card transaction that a credit card processor facilitates or
12 processes;".
13
14 Page 6-lines 1 through 3 Delete entirely and renumber as
15 necessary.
16
17 Page 6-lines 5 through 14 Delete entirely and insert:
18
19 "(iii) "Credit card processor" means an entity involved
20 in facilitating or processing a payment card transaction;
21
22 (iv) "Disclosure" means the transfer, publication or
23 distribution of protected financial information to another person
24 or entity for any purpose other than to process or facilitate a
25 payment card transaction;".
26
27 Page 6-line 16 Delete "(vi)" and insert "(v)".
28
29 Page 6-line 17 Delete "financial institution" and insert
30 "credit card processor".
31
32 Page 6-line 18 Delete "financial institution" and insert
33 "credit card processor".
34
35 Page 6-line 21 Delete "(vii)" and insert "(vi)".
36
37 Page 7 Delete entirely.
38
39 Page 8-lines 1 and 2 Delete entirely and insert:
40
41 "(vii) "Firearms code" means any code or other indicator that
42 a credit card processor assigns to a merchant or to a payment card
43 transaction that identifies whether a merchant is a firearms
44 retailer or whether the payment card transaction involves the
45 purchase of a firearm or ammunition. The term "firearms code"
46 includes, but is not limited to, a merchant category code assigned

1 to a retailer by a payment card network or other credit card
2 processor;

3
4 (viii) "Government entity" means any county or municipality,
5 or state board, commission, agency, bureau, department or any other
6 political subdivision of the state;".

7
8 Page 8-line 4 Delete "(xii)" and insert "(ix)".

9
10 Page 8-line 10 Delete "(xiii)" and insert "(x)"; delete "13-
11 10-401 through".

12
13 Page 8-line 11 Delete entirely and insert "9-14-301 through
14 9-14-304.".

15
16 Page 8-lines 13 through 22 Delete entirely.

17
18 Pages 9 through 13 Delete entirely.

19
20 Page 14 Lines 1 through 4 Delete entirely and insert:

21
22 **"9-14-303. Prohibitions on data collection and use.**

23
24 (a) A state governmental agency or local government, special
25 district or other political subdivision or official, agent or
26 employee of the state or other governmental entity or any other
27 person, public or private, may not knowingly and willfully keep or
28 cause to be kept any list, record or registry of privately owned
29 firearms or any list, record or registry of the owners of those
30 firearms created or maintained through the use of a firearms code.

31
32 (b) A credit card processor may not require the usage of or
33 assign a firearms or ammunition merchant category code to any
34 merchant located in Wyoming that is a seller of firearms or
35 ammunition separately from general merchandise retailers or
36 sporting goods retailers.

37
38 **9-14-304. Civil actions.**

39
40 (a) The attorney general may investigate alleged violations
41 of this act and, upon finding a violation, shall provide written
42 notice to any person or entity, public or private, believed to be
43 in violation of this act. Upon receipt of written notice from the
44 attorney general, the person or entity shall have thirty (30) days
45 to cease the usage of a firearms or ammunition merchant code for
46 any Wyoming merchant.

47

1 (b) If the person or entity fails to cease the usage of a
2 firearms or ammunition merchant code for any merchant located in
3 Wyoming after the expiration of thirty (30) days from the receipt
4 of the written notice by the attorney general's office, the
5 attorney general may pursue an injunction against any person or
6 entity, public or private, alleged to be in violation of this act,
7 which a court may order, in addition to any other relief, as the
8 court may consider appropriate.

9

10 (c) It shall not be a defense to a civil action filed under
11 this act that information was disclosed to a federal government
12 entity unless the disclosure or action is required by federal law
13 or regulation.". BOUCHARD