

“Accepted credit card”, any credit card which has been received by the cardholder and as to which or as to the use of which the disclosures required by chapter one hundred and forty C have been made and one or more of the following events has occurred:

(i) the cardholder has requested the card in writing;
 (ii) the cardholder has signed a cardholder agreement;
 (iii) the cardholder has had his picture taken for imprinting on the card;

(iv) the cardholder has signed or has used, or authorized another to use, the card for the purpose of obtaining money, property, labor or services on credit;

(v) the card has been issued in substitution or renewal of an accepted credit card; or

(vi) the card has been issued in connection with a merger, acquisition or the like of card issuers or credit card services in substitution for an accepted credit card.

“Card issuer”, any person who issues a credit card.

“Cardholder”, any person to whom a credit card is issued or any person who has agreed with the card issuer to pay obligations arising from the issuance of a credit card to another person.

“Unauthorized use”, a use of a credit card by a person other than the cardholder who does not have actual, implied or apparent authority for such use and from which the cardholder receives no benefit.

“Unsolicited credit card”, a credit card that has been mailed or distributed to a cardholder but is not an accepted credit card.

(2) A provision imposing liability on a cardholder for the unauthorized use of a credit card shall be effective only if the card is an accepted credit card, the liability imposed is not in excess of one hundred dollars, the card issuer gives adequate notice to the cardholder of the potential liability, the unauthorized use occurs before the cardholder has notified the card issuer of the loss or theft of the card or of any unauthorized use, and the card issuer has provided a method whereby the user of the credit card can be identified as the person authorized to use it, including without limitation a place on the card for the photo or signature of the holder. Except as hereinbefore provided, a cardholder shall incur no liability from the unauthorized use of either an accepted or an unaccepted credit card.

(3) No finance charge shall be imposed for credit extended on an unsolicited credit card and any provision imposing such charge shall be unenforceable.

Approved August 12, 1970.

Chap. 666. AN ACT PROVIDING FOR THE PAYMENT OF INTEREST ON SECURITY DEPOSITS HELD BY LANDLORDS IN EXCESS OF ONE YEAR.

Be it enacted, etc., as follows:

SECTION 1. Section 15B of chapter 186 of the General Laws, inserted by section 1 of chapter 244 of the acts of 1969, is hereby amended by inserting after the first paragraph the following paragraph:—

A landlord of residential real property who holds a security deposit pursuant to this section for a period in excess of one year from the commencement of the term of tenancy shall, beginning with the first

day after the expiration of such year, pay interest at the rate of five per cent per year, payable to the tenant at the end of each year. The landlord shall, within thirty days after the termination of the lease or tenancy, return the security deposit or any balance thereof, after deducting the amount of any damage caused by the tenant, or any person on the demised premises with his knowledge or consent, reasonable wear and tear excepted, and less any unpaid rent. If the landlord wilfully fails to return to the tenant such deposit or balance thereof, as aforesaid, he shall be liable in damages in an amount equal to twice the amount of such security deposit or balance thereof plus interest at the rate of five per cent from the date when such interest was last paid or became due. Any of the provisions of this section relative to security deposits which may be in conflict with the terms of a mortgage guaranteed by the United States or any authority or agency created under the laws thereof shall not apply to security deposits held by a landlord who appears as the mortgagor in such a mortgage.

SECTION 2. This act shall take effect on January the first, nineteen hundred and seventy-one and shall apply only to security deposits received on and after said date.

Approved August 12, 1970.

Chap. 667. AN ACT RELATIVE TO PAYMENTS UNDER THE WORKMEN'S COMPENSATION ACT TO AN EMPLOYEE FOR A SUBSEQUENT INJURY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 152 of the General Laws is hereby amended by inserting after section 35A the following section:—

Section 35B. An employee who has been receiving compensation under this chapter and who has returned to work for a period of not less than two months shall, if he is subsequently injured and receives compensation, be paid such compensation at the rate in effect at the time of the subsequent injury whether or not such subsequent injury is determined to be a recurrence of the former injury; provided, that if compensation for the old injury was paid in a lump sum, he shall not receive compensation unless the subsequent claim is determined to be a new injury.

SECTION 2. This act shall take effect on February the first, nineteen hundred and seventy-one.

Approved August 12, 1970.

Chap. 668. AN ACT RELATIVE TO THE SOLEMNIZATION OF MARRIAGES BY DULY ORDAINED RABBIS OF THE JEWISH FAITH WHO RESIDE IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 207 of the General Laws is hereby amended by striking out section 38, as most recently amended by section 2 of chapter 81 of the acts of 1968, and inserting in place thereof the following section:—

Section 38. A marriage may be solemnized in any place within the commonwealth by a minister of the gospel who resides in the commonwealth or who if a nonresident is the pastor of a church or denomination