

2432

2013-2014 Regular Sessions

I N S E N A T E

January 17, 2013

Introduced by Sens. KLEIN, MAZIARZ -- read twice and ordered printed,
and when printed to be committed to the Committee on Consumer
Protection

AN ACT to amend the general business law, in relation to prohibiting fee
charges for payment of an account regardless of the method of payment

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 1 of section 399-zzz of the general business
2 law, as added by chapter 556 of the laws of 2010, is amended to read as
3 follows:
4 1. (A) Subject to federal law and regulation, no person, partnership,
5 corporation, association or other business entity shall charge a consum-
6 er an additional rate or fee or a differential in the rate or fee asso-
7 ciated with payment on an account:
8 (I) when the consumer chooses to [pay by United States mail or]
9 receive a paper billing statement; OR
10 (II) WHETHER SUCH PAYMENT IS MADE BY MAIL, ELECTRONIC TRANSFER, TELE-
11 PHONE AUTHORIZATION, OR OTHER MEANS, UNLESS SUCH PAYMENT INVOLVES AN
12 EXPEDITED SERVICE BY A SERVICE REPRESENTATIVE OF THE PERSON, PARTNER-
13 SHIP, CORPORATION, ASSOCIATION OR OTHER BUSINESS ENTITY.
14 (B) This subdivision shall not be construed to prohibit a person,
15 partnership, corporation, association or other business entity from
16 offering consumers a credit or other incentive to elect a specific
17 payment or billing option.
18 S 2. This act shall take effect on the first of January next succeed-
19 ing the date on which it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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