

502

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. ESPAILLAT -- 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 requiring credit card solicitations and statements to display a "Credit Card Facts" display box

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

1 Section 1. The general business law is amended by adding a new section
2 520-d to read as follows:
3 S 520-D. CREDIT CARD FACTS DISPLAY. 1. IN ADDITION TO THE DISCLOSURES
4 REQUIRED BY SECTION FIVE HUNDRED TWENTY OF THIS ARTICLE, ALL APPLICATION
5 FORMS OR PRE-APPROVED WRITTEN SOLICITATIONS TO ENTER INTO A CREDIT CARD
6 AGREEMENT WHICH ARE MAILED TO AN INDIVIDUAL RESIDING IN THIS STATE, BY
7 OR ON BEHALF OF AN ISSUER, WHETHER OR NOT THE ISSUER IS LOCATED IN THIS
8 STATE, OTHER THAN AN APPLICATION FORM OR SOLICITATION INCLUDED IN A
9 MAGAZINE, NEWSPAPER, OR OTHER PUBLICATION DISTRIBUTED BY SOMEONE OTHER
10 THAN THE ISSUER, AND, ANY APPLICATION FOR A CREDIT CARD WHICH IS
11 DISTRIBUTED OR MADE AVAILABLE IN THIS STATE TO A RESIDENT OF THIS STATE
12 IN AN OFFICE OR OTHER PLACE OF BUSINESS OWNED OR OPERATED BY THE ISSUER,
13 SHALL CONTAIN THE DISCLOSURES SET FORTH IN SUBDIVISION THREE OF THIS
14 SECTION IN THE FORM OF A CREDIT CARD FACTS DISPLAY AND SHALL USE
15 SUBSTANTIALLY THE SAME FORMAT AND TERMINOLOGY SHOWN IN SUBDIVISION THREE
16 OF THIS SECTION.
17 2. ALL CREDIT CARD STATEMENTS WHICH ARE MAILED OR PROVIDED ELECTRON-
18 ICALLY TO AN INDIVIDUAL RESIDING IN THIS STATE, BY OR ON BEHALF OF AN
19 ISSUER, WHETHER OR NOT THE ISSUER IS LOCATED IN THIS STATE, SHALL
20 CONTAIN THE DISCLOSURES SET FORTH IN SUBDIVISION THREE OF THIS SECTION
21 IN THE FORM OF A CREDIT CARD FACTS DISPLAY AND SHALL USE SUBSTANTIALLY
22 THE SAME FORMAT AND TERMINOLOGY SHOWN IN SUBDIVISION THREE OF THIS
23 SECTION.

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

LBD01945-01-3

1 3. A. THE CREDIT CARD FACTS DISPLAY SHALL BE BOXED WITH ALL BLACK OR
2 ONE COLOR TYPE PRINTED ON A WHITE OR NEUTRAL BACKGROUND.

3 B. HELVETICA BLACK BOLD TYPEFACE SHALL BE USED FOR ALL HEADINGS AND
4 SUBHEADINGS AND HELVETICA REGULAR TYPEFACE MAY BE USED FOR INFORMATION
5 DISCLOSURES.

6 C. TYPE SIZE SHALL BE: (I) SIXTEEN POINT OR LARGER FOR THE PRIMARY
7 "CREDIT CARD FACTS" HEADING;

8 (II) TWELVE POINT OR LARGER FOR THE "INTEREST RATE", "FEES", "PAYMENT
9 OPTIONS" AND "WARNINGS" HEADINGS; AND

10 (III) TEN POINT OR LARGER FOR THE SUBHEADINGS AND INFORMATION DISCLO-
11 SURES.

12 D. AN EIGHT POINT RULE SEPARATES LARGE GROUPINGS AS SHOWN BELOW IN
13 THIS SUBDIVISION. A SIX POINT RULE INFORMATION DISCLOSURE LINES.

14 E. ALL LABELS ARE ENCLOSED BY ONE-HALF POINT BOX RULE WITHIN THREE
15 POINTS OF TEXT MEASURE.

16 CREDIT CARD FACTS
17 HERE IS A SUMMARY OF THE TERMS OF THIS CREDIT CARD ACCOUNT

18 INTEREST RATES
19 PURCHASES

20
21 BALANCE TRANSFERS

22
23 CASH ADVANCES

24
25 LATE PAYMENTS

26
27 MINIMUM INTEREST

28 FEES
29 FOREIGN CURRENCY PURCHASES

30
31 BALANCE TRANSFERS

32
33 CASH ADVANCES

34
35 LATE PAYMENTS

36
37 EXCEEDING CREDIT LIMIT

38 PAYMENT OPTIONS
39 IN FULL BY DUE DATE

40
41 MINIMUM BALANCE BY DUE DATE

42 WARNINGS
43 LATE PAYMENTS

44 S 2. This act shall take effect on the first of January next succeed-
45 ing the date on which it shall have become a law.