S T A T E O F N E W Y O R K

485

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. CAHILL, MILLMAN, CYMBROWITZ, ORTIZ, BRADLEY, DelMONTE, ROBINSON -- Multi-Sponsored by -- M. of A. COOK, DIAZ, EDDINGTON, GALEF, GREENE, JACOBS, KOON, McENENY, PHEFFER, WEISENBERG -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to prohibiting the charging of additional transaction fees for the payment of a wireless communications service bill or mobile telephone service bill in person

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

Section 1. The general business law is amended by adding a new section 399-ccc to read as follows:

S 399-CCC. IMPOSITION OF SURCHARGE FOR PAYMENT OF WIRELESS COMMUNICATIONS SERVICE PROHIBITED. A WIRELESS COMMUNICATIONS SERVICE SUPPLIER ENGAGED IN THE BUSINESS OF PROVIDING WIRELESS COMMUNICATIONS SERVICE OR MOBILE TELEPHONE SERVICE TO CUSTOMERS SHALL NOT IMPOSE ANY ADDITIONAL SURCHARGE FOR THE FACE TO FACE PAYMENT BY A CUSTOMER OF A BILL FOR SUCH WIRELESS COMMUNICATIONS SERVICE OR MOBILE TELEPHONE SERVICE. A FACE TO FACE PAYMENT SHALL MEAN A PAYMENT MADE IN A STORE WITH THE ASSISTANCE OF STORE PERSONNEL TO COMPLETE THE TRANSACTION.

S 2. This act shall take effect on the ninetieth day after it shall have become a law, and shall apply to contracts issued, renewed, modified or amended after the effective date of this act.

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

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