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

6313

2009-2010 Regular Sessions

I N  A S S E M B L Y

March 2, 2009

Introduced by M. of A. MILLER, TOWNSEND -- Multi-Sponsored by -- M. of A. SAYWARD -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to deceptive acts and practices in connection with interest charges on payments for the sale of goods or rendition of services

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 349-d to read as follows:

S 349-D. DECEPTIVE ACTS AND PRACTICES IN CONNECTION WITH THE CHARGING OF INTEREST ON PAYMENTS FOR GOODS OR SERVICES. IN ANY CONTRACT PROVIDING: (A) THAT THE PRICE OF ANY GOODS AND/OR SERVICES MAY BE PAID IN INSTALLMENTS OR IN WHOLE AT SOME FUTURE DATE AND (B) THAT NO INTEREST, FINANCE CHARGE, OR OTHER SUCH CHARGE SHALL BE REQUIRED IF PAYMENT IS MADE BY A SPECIFIED FUTURE DATE, NO INTEREST, FINANCE CHARGE, OR OTHER SUCH CHARGE SHALL BE CHARGED, LEVIED, DEMANDED, OR COLLECTED, AND NONE SHALL ACCRUE IF PAYMENT IS MADE IN FULL BY THE SPECIFIED DATE. IF PAYMENT IS NOT MADE BY SUCH DATE, ONLY THEN AND ONLY AFTER THE GIVING OF WRITTEN NOTICE TO THE OBLIGOR MAY ANY INTEREST, FINANCE CHARGE, OR OTHER SUCH CHARGE BE CHARGED, LEVIED, DEMANDED, OR COLLECTED.

S 2. This act shall take effect on the ninetieth day after 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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