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

8099

I N S E N A T E

June 8, 2010

Introduced by Sen. SCHNEIDERMAN -- (at request of the Office of Court Administration) -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the civil practice law and rules, in relation to consumer credit actions

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

Section 1. Rule 3016 of the civil practice law and rules is amended by adding a new subdivision (i) to read as follows:

(I) CONSUMER CREDIT TRANSACTION. IN AN ACTION ARISING OUT OF A CONSUMER CREDIT TRANSACTION WHERE A PURCHASER, BORROWER, OR DEBTOR IS A DEFENDANT AND THE CREDIT OBLIGATION BEING SUED UPON WAS INCURRED USING A CREDIT CARD, THE COMPLAINT SHALL STATE THE LAST FOUR DIGITS OF THE NUMBER ASSIGNED TO THE CREDIT CARD. FOR THE PURPOSES OF THIS SUBDIVISION, "CREDIT CARD" MEANS AND INCLUDES ANY CREDIT CARD, CREDIT PLATE, CHARGE PLATE, COURTESY CARD, OR OTHER IDENTIFICATION CARD OR DEVICE ISSUED BY A PERSON TO ANOTHER PERSON WHICH MAY BE USED TO OBTAIN A CASH ADVANCE OR A LOAN OR CREDIT OR TO PURCHASE OR LEASE PROPERTY OR SERVICES ON THE CREDIT OF THE ISSUER OR OF THE HOLDER.

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall apply to all actions and proceedings commenced on or after such effective date.

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

LBD16650-03-0