

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

9200

2009-2010 Regular Sessions

I N A S S E M B L Y

October 21, 2009

Introduced by M. of A. ZEBROWSKI -- read once and referred to the
Committee on Banks

AN ACT to amend the banking law, in relation to check cashing policies

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

1 Section 1. The banking law is amended by adding a new section 9-v to
2 read as follows:
3 S 9-V. CASHING OF CERTAIN CHECKS. 1. NO BANKING INSTITUTION AS SUCH
4 TERM IS DEFINED IN SECTION NINE-F OF THIS ARTICLE SHALL, AS A POLICY OR
5 GENERAL PRACTICE, REFUSE TO CASH CHECKS DRAWN ON ACCOUNTS IN SUCH INSTI-
6 TUTION OR A BRANCH THEREOF. SUCH INSTITUTION MAY REQUIRE THAT THE PAYEE
7 OFFER TWO FORMS OF IDENTIFICATION, INCLUDING ONE PICTURE IDENTIFICATION.
8 2. IF A PERSON PRESENTS TWO FORMS OF IDENTIFICATION, AS PROVIDED IN
9 SUBDIVISION ONE OF THIS SECTION, AND A SIGNATURE OR MARK, AND THE INSTI-
10 TUTION REFUSES TO CASH THE CHECK IN THE ABSENCE OF CRIMINAL ACTIVITY,
11 SUCH INSTITUTION SHALL BE GUILTY OF A VIOLATION OF THIS SECTION AND
12 SUBJECT TO A CIVIL PENALTY OF NO LESS THAN ONE THOUSAND DOLLARS AND NO
13 MORE THAN FIVE THOUSAND DOLLARS FOR EACH SUCH VIOLATION.
14 S 2. This act shall take effect on the thirtieth day after it shall
15 have become a law.

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

LBD02273-02-9