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

117--A

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. REILICH, MONTESANO, FINCH, HAWLEY, JAFFEE, BARCLAY, GIGLIO, TITONE, GABRYSZAK, DUPREY, CALHOUN, BUTLER, MURRAY, CORWIN, MALLIOTAKIS, LOSQUADRO, McDONOUGH, RAIA, TOBACCO -- Multi-Sponsored by -- M. of A. BURLING, CERETTO, CROUCH, FITZPATRICK, GOODELL, JOHNS, JORDAN, McKEVITT, McLAUGHLIN, PALMESANO, PHEFFER, SAYWARD -- read once and referred to the Committee on Banks -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law and the banking law, in relation to prohibiting automated teller machines or point of sale terminals in certain locations from accepting electronic benefit transfer cards for cash withdrawals

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

Section 1. The social services law is amended by adding a new section 144-b to read as follows:

S 144-B. PROHIBITION OF THE USE OF ELECTRONIC BENEFIT TRANSFER CARDS IN CERTAIN LOCATIONS. THE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE SHALL INSURE THAT ELECTRONIC BENEFIT TRANSFER CARDS ISSUED BY AND THROUGH THE AGENCY TO FACILITATE THE DELIVERY OF ASSISTANCE MAY NOT BE USED TO ACCESS STATE-PROVIDED CASH BENEFITS FROM ANY AUTOMATED TELLER MACHINES OR POINT OF SALE TERMINALS IN THE FOLLOWING LOCATIONS: (A) GAMBLING ESTABLISHMENTS; (B) PSYCHICS; (C) BAIL BOND ESTABLISHMENTS; (D) BINGO HALLS; (E) CRUISE SHIPS; (F) TATTOO PARLORS; OR (G) ANY BUSINESS PROVIDING SERVICES THAT HAVE BEEN DEEMED INCONSISTENT WITH THE INTENT OF THE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE.

S 2. The banking law is amended by adding a new section 9-v to read as follows:

S 9-V. PROHIBITION OF THE USE OF ELECTRONIC BENEFIT TRANSFER CARDS AT AUTOMATED TELLER MACHINES IN CERTAIN LOCATIONS. ELECTRONIC BENEFIT

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

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TRANSFER CARDS ISSUED BY THE STATE TO FACILITATE THE DELIVERY OF ASSISTANCE MAY NOT BE USED TO ACCESS STATE-PROVIDED CASH BENEFITS FROM ANY AUTOMATED TELLER MACHINES OR POINT OF SALE TERMINALS IN THE FOLLOWING LOCATIONS: (A) GAMBLING ESTABLISHMENTS; (B) PSYCHICS; (C) BAIL BOND ESTABLISHMENTS; (D) BINGO HALLS; (E) CRUISE SHIPS; (F) TATTOO PARLORS; OR (G) ANY BUSINESS PROVIDING SERVICES THAT HAVE BEEN DEEMED INCONSISTENT WITH THE INTENT OF THE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE.

S 3. This act shall take effect immediately.