

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

9352--A

I N A S S E M B L Y

February 22, 2012

Introduced by M. of A. DINOWITZ, ROSENTHAL, JAFFEE, JACOBS, WEISENBERG, COLTON, GIBSON, ROBERTS, LINARES, CASTRO, MOYA, MONTESANO, ZEBROWSKI, GALEF, ESPINAL, COOK, RAMOS, WEPRIN -- Multi-Sponsored by -- M. of A. BOYLAND, BRAUNSTEIN, BRENNAN, CERETTO, ORTIZ, P. RIVERA, TITONE, WRIGHT -- read once and referred to the Committee on Consumer Affairs and Protection -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to prohibiting fee charges for payment of an account regardless of the method of payment

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

1 Section 1. Subdivision 1 of section 399-zzz of the general business
2 law, as added by chapter 556 of the laws of 2010, is amended to read as
3 follows:
4 1. (A) Subject to federal law and regulation, no person, partnership,
5 corporation, association or other business entity shall charge a consum-
6 er an additional rate or fee or a differential in the rate or fee asso-
7 ciated with payment on an account:
8 (I) when the consumer chooses to [pay by United States mail or]
9 receive a paper billing statement; OR
10 (II) WHETHER SUCH PAYMENT IS MADE BY MAIL, ELECTRONIC TRANSFER, TELE-
11 PHONE AUTHORIZATION, OR OTHER MEANS, UNLESS SUCH PAYMENT INVOLVES AN
12 EXPEDITED SERVICE BY A SERVICE REPRESENTATIVE OF THE PERSON, PARTNER-
13 SHIP, CORPORATION, ASSOCIATION OR OTHER BUSINESS ENTITY.
14 (B) This subdivision shall not be construed to prohibit a person,
15 partnership, corporation, association or other business entity from
16 offering consumers a credit or other incentive to elect a specific
17 payment or billing option.
18 S 2. This act shall take effect immediately.

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

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