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

1283

2011-2012 Regular Sessions

I N S E N A T E

January 6, 2011

Introduced by Sen. DUANE -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to requiring credit card solicitations and statements to display a "Credit Card Facts" display box

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 520-d to read as follows:

S 520-D. CREDIT CARD FACTS DISPLAY. 1. IN ADDITION TO THE DISCLOSURES REQUIRED BY SECTION FIVE HUNDRED TWENTY OF THIS ARTICLE, ALL APPLICATION FORMS OR PRE-APPROVED WRITTEN SOLICITATIONS TO ENTER INTO A CREDIT CARD AGREEMENT WHICH ARE MAILED TO AN INDIVIDUAL RESIDING IN THIS STATE, BY OR ON BEHALF OF AN ISSUER, WHETHER OR NOT THE ISSUER IS LOCATED IN THIS STATE, OTHER THAN AN APPLICATION FORM OR SOLICITATION INCLUDED IN A MAGAZINE, NEWSPAPER, OR OTHER PUBLICATION DISTRIBUTED BY SOMEONE OTHER THAN THE ISSUER, AND, ANY APPLICATION FOR A CREDIT CARD WHICH IS DISTRIBUTED OR MADE AVAILABLE IN THIS STATE TO A RESIDENT OF THIS STATE IN AN OFFICE OR OTHER PLACE OF BUSINESS OWNED OR OPERATED BY THE ISSUER, SHALL CONTAIN THE DISCLOSURES SET FORTH IN SUBDIVISION THREE OF THIS SECTION IN THE FORM OF A CREDIT CARD FACTS DISPLAY AND SHALL USE SUBSTANTIALLY THE SAME FORMAT AND TERMINOLOGY SHOWN IN SUBDIVISION THREE OF THIS SECTION.

2. ALL CREDIT CARD STATEMENTS WHICH ARE MAILED OR PROVIDED ELECTRONICALLY TO AN INDIVIDUAL RESIDING IN THIS STATE, BY OR ON BEHALF OF AN ISSUER, WHETHER OR NOT THE ISSUER IS LOCATED IN THIS STATE, SHALL CONTAIN THE DISCLOSURES SET FORTH IN SUBDIVISION THREE OF THIS SECTION IN THE FORM OF A CREDIT CARD FACTS DISPLAY AND SHALL USE SUBSTANTIALLY THE SAME FORMAT AND TERMINOLOGY SHOWN IN SUBDIVISION THREE OF THIS SECTION.

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

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3. A. THE CREDIT CARD FACTS DISPLAY SHALL BE BOXED WITH ALL BLACK OR ONE COLOR TYPE PRINTED ON A WHITE OR NEUTRAL BACKGROUND.

B. HELVETICA BLACK BOLD TYPEFACE SHALL BE USED FOR ALL HEADINGS AND SUBHEADINGS AND HELVETICA REGULAR TYPEFACE MAY BE USED FOR INFORMATION DISCLOSURES.

C. TYPE SIZE SHALL BE: (I) SIXTEEN POINT OR LARGER FOR THE PRIMARY "CREDIT CARD FACTS" HEADING;

(II) TWELVE POINT OR LARGER FOR THE "INTEREST RATE", "FEES", "PAYMENT OPTIONS" AND "WARNINGS" HEADINGS; AND

(III) TEN POINT OR LARGER FOR THE SUBHEADINGS AND INFORMATION DISCLOSURES.

D. AN EIGHT POINT RULE SEPARATES LARGE GROUPINGS AS SHOWN BELOW IN THIS SUBDIVISION. A SIX POINT RULE INFORMATION DISCLOSURE LINES.

E. ALL LABELS ARE ENCLOSED BY ONE-HALF POINT BOX RULE WITHIN THREE POINTS OF TEXT MEASURE.

CREDIT CARD FACTS
HERE IS A SUMMARY OF THE TERMS OF THIS CREDIT CARD ACCOUNT

INTEREST RATES
PURCHASES

BALANCE TRANSFERS

CASH ADVANCES

LATE PAYMENTS

MINIMUM INTEREST

FEES
FOREIGN CURRENCY PURCHASES

BALANCE TRANSFERS

CASH ADVANCES

LATE PAYMENTS

EXCEEDING CREDIT LIMIT

PAYMENT OPTIONS
IN FULL BY DUE DATE

MINIMUM BALANCE BY DUE DATE

WARNINGS
LATE PAYMENTS

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.