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

6041

I N S E N A T E

(PREFILED)

January 4, 2012

Introduced by Sen. MONTGOMERY -- 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 the personal information of a credit or debit card holder

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

Section 1. Subdivision 3 of section 520-a of the general business law, as amended by chapter 233 of the laws of 2007, is amended to read as follows:

3. No person, firm, partnership or corporation which accepts credit or debit cards for the transaction of business shall require the credit or debit card holder to write OR ELECTRONICALLY ENTER on the credit or debit card transaction form, nor shall it write [or], cause to be written, OR ELECTRONICALLY ENTERED on such form or on any attachment thereto, any personal identification information, including but not limited to the credit or debit card holder's address [or], ZIP CODE, EMAIL ADDRESS OR telephone [number] NUMBERS, INCLUDING HOME, CELL AND WORK TELEPHONE NUMBERS, that is not required by the credit or debit card issuer to complete the credit or debit card transaction; provided, however, that the credit or debit card holder's address and telephone number may be required [on such form or attachment thereto] where (i) such information is necessary for shipping, delivery or installation of purchased merchandise or for special orders; or (ii) the person, firm, partnership or corporation processes credit or debit card transactions by mailing transaction forms to a designated bankcard center for settlement.

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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