STATE OF NEW YORK

7915

2017-2018 Regular Sessions

IN ASSEMBLY

May 18, 2017

Introduced by M. of A. SEAWRIGHT, DINOWITZ, KAVANAGH, OTIS, STECK, COLTON, HOOPER, ARROYO, STIRPE, GALEF, JOYNER, JENNE, ROSENTHAL -- Multi-Sponsored by -- M. of A. COOK, PEOPLES-STOKES, PERRY -- read once and referred to the Committee on Consumer Affairs and 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**, zip code** 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**; or (iii) such information is used solely for the detection, investigation or prevention of fraud, theft, identity theft, criminal activity or enforcement of terms of sale. Nothing in this subdivision shall prevent a person, firm or corporation which accepts**

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

LBD03566-01-7

credit cards or debit cards from requesting that a customer voluntarily provide personal identification where the use of such information is disclosed to such consumer.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.