STATE OF NEW YORK

9855

IN ASSEMBLY

February 20, 2020

Introduced by M. of A. PAULIN -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to providing notice of certain scams when selling gift cards

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 396-i of the general business law is amended by adding a new subdivision 2-b to read as follows:

2-b. (a) No person, firm, partnership, association or corporation shall sell a gift certificate to a purchaser unless, at the location where the sale occurs, the following notice is provided:

"Protect yourself from prepaid card scams; including requests related to lotteries, taxes, employment status or utility payments. Do not provide any prepaid card information to someone you do not know; including PIN number or card number. If you feel that you are a victim of fraud, contact local law enforcement."

(b) Notice required pursuant to paragraph (a) of this subdivision shall be provided as follows:

(i) where a person, firm, partnership, association or corporation has an electronic payment system screen, notice may be given on such screen to the purchaser before finalizing payment; or

(ii) where a person, firm, partnership, association or corporation does not have an electronic payment system screen or does not wish to provide notice on their electronic payment system screen, notice shall be posted in a conspicuous manner in the location where the sale occurs.

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

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

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