

# STATE OF NEW YORK

4188

2019-2020 Regular Sessions

## IN SENATE

March 4, 2019

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Banks

AN ACT to amend the banking law, in relation to requiring financial institutions to notify a customer prior to charging a fee based on account inactivity

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

1 Section 1. The banking law is amended by adding a new section 9-x to  
2 read as follows:

3 § 9-x. Fees based on inactivity; notification. Notwithstanding any  
4 other provision of law or rule or regulation to the contrary, any finan-  
5 cial institution subject to the provisions of this chapter, including  
6 any bank, trust company, savings bank, savings and loan association,  
7 credit union, mortgage broker, mortgage banker, or other investment  
8 entity, whether headquartered within or outside the state, which  
9 provides an account to a customer shall provide written notice of the  
10 pending charges to a customer thirty days prior to charging any fee  
11 based on account inactivity. Such notice shall include a telephone  
12 number and full contact information for a representative of the finan-  
13 cial institution responsible for resolving any matter relating to the  
14 fee. A notification by electronic mail shall satisfy the writing  
15 requirement for the purposes of this section.

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

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

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