

STATE OF NEW YORK

145

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. THOMAS -- 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 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:

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

3 2-b. (a) No person, firm, partnership, association or corporation
4 shall sell a gift certificate to a purchaser unless, at the location
5 where the sale occurs, the following notice is provided:

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

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

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

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

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

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

LBD02118-01-1