

# STATE OF NEW YORK

8774

## IN SENATE

April 14, 2022

Introduced by Sen. COONEY -- 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 requiring sellers to clearly post the price of a credit card surcharge

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

1 Section 1. Section 518 of the general business law, as added by chap-  
2 ter 160 of the laws of 1984, is amended to read as follows:

3 § 518. Credit card surcharge prohibited. No seller in any sales trans-  
4 action may impose a surcharge on a holder who elects to use a credit  
5 card in lieu of payment by cash, check, or similar means unless such  
6 seller clearly posts the credit card price, inclusive of such surcharge,  
7 at the location where the sale occurs, and provided further that the  
8 final sales price of any such sales transaction, inclusive of such  
9 surcharge, shall not amount to a price greater than the posted price for  
10 such sales transaction.

11 Any seller who violates the provisions of this section shall be guilty  
12 of a misdemeanor punishable by a fine not to exceed five hundred dollars  
13 or a term of imprisonment up to one year, or both.

14 § 2. This act shall take effect immediately.

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

LBD15018-01-2