STATE OF NEW YORK

1009

2023-2024 Regular Sessions

IN ASSEMBLY

January 12, 2023

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 potential scams when selling gift cards

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

Section 1. Subdivision 2-b of section 396-i of the general business law, as added by a chapter of the laws of 2022 amending the general business law relating to providing notice of potential scams when selling gift cards, as proposed in legislative bills numbers S. 145-B and A. 266-A, is amended to read as follows:

2-b. **(a)** No person, firm, partnership, association or corporation shall sell a gift certificate to a purchaser unless the seller displays a conspicuous notice at or near where the gift certificate is displayed or at or near the physical location where the sale occurs, that (i) cautions the purchaser about prepaid card scams, and (ii) instructs the purchaser on what to do if they suspect they might be a potential victim of such a scam.

(b) The consumer protection division, as established in section ninety-four-a of the executive law, shall create a model notice which sellers may use to comply with the requirements of this section and shall make such notice accessible to sellers including, but not limited to, posting such notice on the consumer protection division's website in a format available for sellers to print and display.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2022 amending the general business law relating to providing notice of potential scams when selling gift cards, as proposed in legislative bills numbers S. 145-B and A. 266-A, takes effect.

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

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