

STATE OF NEW YORK

99

2023-2024 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 4, 2023

Introduced by M. of A. SAYEGH, DICKENS, COLTON -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to requiring the disclosure of fees on certain internet websites and mobile applications

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

1 Section 1. The general business law is amended by adding a new section
2 399-rr to read as follows:

3 § 399-rr. Disclosure of certain fees. 1. No internet website or mobile
4 application which can be used by a consumer to acquire a loan with a
5 term of less than one month shall impose a fee on a consumer for using
6 such internet website or mobile application to acquire such loan unless
7 the internet website or mobile application provides notice of a fee
8 being charged and the consumer elects to continue with the transaction
9 after receiving such notice. The notice provided by the internet website
10 or mobile application shall clearly state: (i) that a fee is imposed for
11 the use of such internet website or mobile application; (ii) the amount
12 of such fee; (iii) that the consumer may cancel such transaction without
13 being assessed a fee; and (iv) if a fee is not required to be paid to
14 complete the transaction but the consumer is suggested to pay a fee,
15 that the consumer may choose not to pay the fee and continue to complete
16 the transaction.

17 2. Every violation of this section shall be deemed a deceptive act and
18 practice subject to enforcement under article twenty-two-A of this chap-
19 ter.

20 3. Nothing in this section shall be construed to restrict any right
21 which any person may have under any other statute or the common law.

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

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

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