STATE OF NEW YORK

1048

2023-2024 Regular Sessions

IN SENATE

January 9, 2023

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:

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

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

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

§ 2. This act shall take effect immediately.

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

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