STATE OF NEW YORK

2881

2023-2024 Regular Sessions

IN SENATE

January 25, 2023

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Banks

AN ACT to amend the banking law, in relation to requiring ATM machines to release ATM cards with EVM chips prior to disbursing cash or a receipt

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

Section 1. Section 75-b of the banking law is amended by adding four new subdivisions 10, 11, 12, and 13 to read as follows:

10. "EVM chip" means a data storage chip that implements the Europay, Mastercard and Visa technical standard.

11. "Chip card" means an automated teller machine card, credit card, or other form of secure-payment card with an EVM chip inset for the purposes of customer data storage.

12. "Card dipping" means the insertion of a chip card into a card reader to enable customer data to be read off the EVM chip.

13. "Chip enabled automatic teller machine" means an automatic teller machine that reads customer data from a chip card and uses card dipping.

§ 2. Section 75-c of the banking law is amended by adding a new subdivision 4 to read as follows:

4. Notwithstanding the provisions of section seventy-five-i of this article, no newly installed chip enabled automatic teller machine shall disburse cash or print a deposit receipt without first releasing the card to the customer and the customer withdrawing the card from the reader.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law and shall apply to any ATM installed after such date.

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

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