

# 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:

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

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

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

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

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

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

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

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

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

LBD04678-01-3