STATE OF NEW YORK

363

2023-2024 Regular Sessions

IN SENATE

(Prefiled)

January 4, 2023

Introduced by Sens. THOMAS, COMRIE, RAMOS -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the personal property law, in relation to providing for a cap on the credit service charge computed and collected on a retail instalment contract

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

Section 1. Subdivision 1 of section 404 of the personal property law, as amended by chapter 883 of the laws of 1980, is amended to read as follows:

1. A seller may, in a retail instalment contract or obligation, contract for and, if so contracted for, the holder thereof may charge, receive and collect a credit service charge computed on the principal balance of the contract or obligation from the date thereof to and including the date when the final instalment is payable, at the rate or rates agreed to by the buyer**, but such credit service charge shall not exceed the interest rate established pursuant to section fourteen-a of the banking law**.

§ 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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