STATE OF NEW YORK

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1329

2023-2024 Regular Sessions

IN SENATE

January 11, 2023
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Introduced by Sen. THOMAS -- read twice and ordered printed, and when
  printed to be committed to the Committee on Rules

AN ACT to amend the general business law, in relation to providing
  notice of potential scams when selling gift cards

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

1   Section 1. Subdivision 2-b of section 396-i of the general business
2 law, as added by a chapter of the laws of 2022 amending the general
3 business law relating to providing notice of potential scams when sell-
4 ing gift cards, as proposed in legislative bills numbers S. 145-B and A.
5 266-A, is amended to read as follows:
6   2-b. **(a)** No person, firm, partnership, association or corporation
7 shall sell a gift certificate to a purchaser unless the seller displays
8 a conspicuous notice at or near where the gift certificate is displayed
9 or at or near the physical location where the sale occurs, that (i)
10 cautions the purchaser about prepaid card scams, and (ii) instructs the
11 purchaser on what to do if they suspect they might be a potential victim
12 of such a scam.
13   **(b) The consumer protection division, as established in section nine-**
14 **ty-four-a of the executive law, shall create a model notice which sell-**
15 **ers may use to comply with the requirements of this section and shall**
16 **make such notice accessible to sellers including, but not limited to,**
17 **posting such notice on the consumer protection division's website in a**
18 **format available for sellers to print and display.**
19   § 2. This act shall take effect on the same date and in the same
20 manner as a chapter of the laws of 2022 amending the general business
21 law relating to providing notice of potential scams when selling gift
22 cards, as proposed in legislative bills numbers S. 145-B and A. 266-A,
23 takes effect.

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

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