STATE OF NEW YORK

6695

2025-2026 Regular Sessions

IN SENATE

March 19, 2025

Introduced by Sen. SANDERS -- 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 prohibiting predatory automated teller machine fees at casinos and colleges

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

Section 1. The general business law is amended by adding a new section 399-y-2 to read as follows:

§ 399-y-2. Predatory automated teller machine fees prohibited. 1. For the purposes of this section, the following terms shall have the following meanings:

a. "Automated teller machine" shall mean an automated teller machine as defined in section three hundred ninety-nine-y-one of this article.

b. "Casino" shall mean a casino as defined in section one thousand three hundred one of the racing, pari-mutuel wagering and breeding law.

c. "College" shall mean a college as defined in section two of the education law that is located within the state of New York.

2. No casino or college may knowingly have located on its premises an automated teller machine which charges a consumer a fee or surcharge for a financial transaction exceeding a monetary amount to be established by the superintendent of the department of financial services that is fair and reasonable to consumers and consistent with prevailing industry norms and standards. The superintendent of the department of financial services may periodically review and adjust such monetary amount.

3. Where a casino or college receives a complaint from a consumer that an automated teller machine located on the premises of such casino or college is charging a fee or surcharge exceeding the monetary amount established pursuant to subdivision two of this section, such casino or college shall be deemed to have knowledge that an automated teller machine is charging a fee or surcharge exceeding such monetary amount on the premises of such casino or college.

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

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4. Any casino or college that knowingly permits an automated teller machine on its premises to charge a fee or surcharge exceeding the monetary amount established pursuant to subdivision two of this section shall be assessed a civil penalty not to exceed two hundred fifty dollars per violation.

5. If any provision of this article or the application thereof to any person or circumstances is held to be invalid, such invalidity shall not affect other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are severable.

§ 2. This act shall take effect immediately.