

STATE OF NEW YORK

8188

IN SENATE

April 16, 2018

Introduced by Sen. ORTT -- 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 the fraudulent sale of poppies, forget-me-nots, daisies, flags and other articles sold for patriotic purposes

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

1 Section 1. Section 396-h of the general business law, as added by
2 chapter 1031 of the laws of 1965 and as renumbered by chapter 815 of the
3 laws of 1973, is amended to read as follows:

4 § 396-h. Fraudulent sale of poppies, forget-me-nots, daisies, flags
5 and other articles sold for patriotic purposes. Any person, whether a
6 veteran soldier, sailor, marine or army nurse, or otherwise, who in the
7 promotion of his or her own interests, or to derive personal pecuniary
8 benefit, gain or profit, for himself or herself or for any person, firm
9 or corporation other than an organization expressly designated and
10 authorized to administer veteran relief by the provisions of section one
11 hundred sixty-eight of the social [~~welfare~~] services law, sells or
12 offers to sell poppies, forget-me-nots, daisies, flags or other articles
13 sold for patriotic purposes, while claiming that such sale or offer to
14 sell is made as agent of, or for the benefit of such organization
15 authorized to administer veteran relief, for a first offense is guilty
16 of a misdemeanor, punishable by a fine of not more than [~~fifty~~] five
17 hundred dollars or by imprisonment for not more than six months, or by
18 both such fine and imprisonment, and for a second or subsequent offense
19 is guilty of a misdemeanor, punishable by a fine of not more than one
20 thousand dollars or by imprisonment for not more than one year, or by
21 both such fine and imprisonment.

22 § 2. This act shall take effect on the first of November next succeed-
23 ing the date on which it shall have become a law.

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

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