

STATE OF NEW YORK

8319--B

2021-2022 Regular Sessions

IN ASSEMBLY

October 20, 2021

Introduced by M. of A. PAULIN, ROZIC, BURGOS, DINOWITZ, BURDICK, BUTTENSCHON, DICKENS, ENGLEBRIGHT, FRONTUS, GOTTFRIED, GONZALEZ-ROJAS, HEVESI, McMAHON, SEAWRIGHT, STERN, STIRPE, MIKULIN, McDONOUGH, BRABEC, BROWN, J. A. GIGLIO, MANKTELOW, SALKA, TANNOUSIS, LEMONDES, DARLING -- read once and referred to the Committee on Consumer Affairs and Protection -- recommitted to the Committee on Consumer Affairs and Protection in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to adding telephone numbers to a do-not-call list at the outset of certain telemarketing calls

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

- 1 Section 1. Subdivision 2 of section 399-z of the general business law,
2 as amended by chapter 239 of the laws of 2017, is amended to read as
3 follows:
4 2. No telemarketer or seller shall engage in telemarketing at any time
5 other than between 8:00 A.M. and 9:00 P.M. at the location of the
6 customer unless the customer has given his or her express consent to the
7 call at a different time. Telemarketers shall provide, in a clear and
8 coherent manner using words with common and everyday meanings, at the
9 beginning of each telemarketing sales call all of the following information,
10 in the following order:
11 a. the telemarketer's name and the person on whose behalf the solicitation
12 is being made, if other than the telemarketer;
13 b. the [~~purpose of the telephone call~~] option to be automatically
14 added to the seller's entity specific do-not-call list, as required by
15 subdivisions seven, eight, and nine of this section;

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

LBD13123-04-2

1 c. [~~the identity of the goods or services for which a fee will be~~
2 ~~charged, and~~
3 ~~d.~~] whether the call is being recorded;
4 d. the purpose of the telephone call; and
5 e. the identity of the goods or services for which a fee will be
6 charged.
7 § 2. This act shall take effect on the ninetieth day after it shall
8 have become a law.