S T A T E O F N E W Y O R K

3067

2009-2010 Regular Sessions

I N A S S E M B L Y

January 22, 2009

Introduced by M. of A. CALHOUN -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to false advertising

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 350-a of the general business law is amended by adding a new subdivision 4 to read as follows:

4. IT SHALL BE CONSIDERED FALSE ADVERTISING IF, IN THE OPINION OF THE ATTORNEY GENERAL, AN ANNOUNCER ALTERS THE SPEED OR PITCH OF HIS OR HER VOCAL DELIVERY DURING A COMMERCIAL BROADCAST IN SUCH A MANNER AS WOULD CONFUSE A REASONABLE LISTENER. THIS SHALL BE LIMITED TO ANY PORTION OF SUCH COMMERCIAL BROADCAST THAT WOULD CHANGE THE TERMS, CONDITIONS, OR PRICE OF THE GOODS OR SERVICES BEING ADVERTISED, OR WHICH INCLUDE ANY DISCLAIMER THAT WOULD INVALIDATE ANOTHER PORTION OF SUCH ADVERTISEMENT.

S 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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