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

2332

2009-2010 Regular Sessions

I N S E N A T E

February 18, 2009

Introduced by Sen. PADAVAN -- 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 licensing of sellers of aerosol spray paint cans and broad tipped indelible markers

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 article 39-DDD to read as follows:

ARTICLE 39-DDD

GRAFFITI PARAPHERNALIA

SECTION 898. LICENSING OF SELLERS OF AEROSOL SPRAY PAINT CANS AND BROAD TIPPED INDELIBLE MARKERS.

S 898. LICENSING OF SELLERS OF AEROSOL SPRAY PAINT CANS AND BROAD TIPPED INDELIBLE MARKERS. NOTWITHSTANDING ANY GENERAL OR LOCAL LAW TO THE CONTRARY, ANY COUNTY, CITY, TOWN OR VILLAGE MAY REGULATE THE SALE OF AEROSOL SPRAY PAINT CANS AND BROAD TIPPED INDELIBLE MARKERS WITHIN ITS BOUNDARIES THROUGH THE ISSUANCE OF LICENSES AND PERMITS THEREFOR. A COUNTY, CITY, TOWN OR VILLAGE WHICH ISSUES A LICENSE OR PERMIT AUTHORIZING ANY PERSON, FIRM OR CORPORATION TO ENGAGE IN THE SELLING OR OFFERING FOR SALE OF ANY MERCHANDISE MAY REVOKE SUCH LICENSE OR PERMIT UPON A FINDING, PURSUANT TO A HEARING HELD THEREON, THAT SUCH PERSON, FIRM OR CORPORATION HAS SOLD OR OFFERED FOR SALE AEROSOL SPRAY PAINT CANS OR BROAD TIPPED INDELIBLE MARKERS WITHOUT OR IN VIOLATION OF THE TERMS OF A LICENSE OR PERMIT SPECIFICALLY AUTHORIZING SUCH SALE.

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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