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

3189

2009-2010 Regular Sessions

I N A S S E M B L Y

January 23, 2009

Introduced by M. of A. PHEFFER, GABRYSZAK -- Multi-Sponsored by -- M. of A. ALFANO, BARRA -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to requiring that every home improvement contract contain a provision regarding notice to owners if the contractor uses the services of a subcontractor

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

Section 1. Subdivision 1 of section 771 of the general business law is amended by adding a new paragraph (i) to read as follows:

(I) A NOTICE TO THE OWNER PURCHASING THE HOME IMPROVEMENT THAT THE CONTRACTOR WHO PERFORMS ON THE CONTRACT SHALL, PRIOR TO COMMENCEMENT OF ANY WORK, DEMOLITION OR CONSTRUCTION, PROVIDE WRITTEN NOTICE AND DISCLOSE TO SUCH OWNER THE NAME, ADDRESS, TELEPHONE NUMBER AND LICENSE NUMBER, IF APPLICABLE, OF ANY SUBCONTRACTORS THAT MAY BE PERFORMING ANY WORK RELATING TO THE HOME IMPROVEMENT CONTRACT. THE CONSUMER RESERVES THE RIGHT TO CANCEL SUCH CONTRACT, WITHOUT PENALTY AND ONLY PAY FOR SERVICES RENDERED TO DATE, UPON SUCH NOTIFICATION. FOR THE PURPOSES OF THIS PARAGRAPH, THE TERM "OWNER" SHALL MEAN OWNER OR ANY REPRESENTATIVE OF AN OWNER.

S 2. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to home improvement contracts entered into on and after such effective date.

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

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