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

5231

2009-2010 Regular Sessions

I N A S S E M B L Y

February 11, 2009

Introduced by M. of A. GIANARIS, COLTON -- Multi-Sponsored by -- M. of A. CANESTRARI, COOK, CUSICK, CYMBROWITZ, DIAZ, DINOWITZ, GALEF, GREENE, HIKIND, HOOPER, V. LOPEZ, MILLMAN, PAULIN, PERALTA, POWELL, J. RIVERA, P. RIVERA, SWEENEY, TOWNS, WEISENBERG -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to unsolicited telemarketing sales calls

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

Section 1. Subparagraph (iii) of paragraph j of subdivision 1 of section 399-z of the general business law, as amended by chapter 214 of the laws of 2005, is amended to read as follows:

(iii) to an existing customer, ONLY WHEN SUCH CALL RELATES TO AN EXISTING CONTRACT, TO RENEWAL OF AN EXISTING CONTRACT, OR TO THE PAYMENT OF A DEBT PURSUANT TO AN EXISTING CONTRACT, unless such customer has stated to the telemarketer that such customer no longer wishes to receive the telemarketing sales calls of such telemarketer.

S 2. This act shall take effect on the thirtieth day after 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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