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

6326

2009-2010 Regular Sessions

I N A S S E M B L Y

March 2, 2009

Introduced by M. of A. TOWNS, WALKER, ALFANO, SCHROEDER -- Multi-Sponsored by -- M. of A. GORDON, PEOPLES -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the general business law, in relation to the sale of postage stamps

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 section 391-q to read as follows:

S 391-Q. SALE OF POSTAGE STAMPS. 1. FOR THE PURPOSES OF THIS SECTION:

(A) "POSTAGE STAMP" MEANS ANY SMALL, USUALLY ADHESIVE LABEL ISSUED BY THE GOVERNMENT AND SOLD IN VARIOUS DENOMINATIONS TO BE AFFIXED TO ITEMS OF MAIL AS EVIDENCE OF THE PAYMENT OF POSTAGE;

(B) "RETAIL MERCANTILE ESTABLISHMENT" MEANS A PLACE WHERE MERCHANDISE IS OFFERED TO THE PUBLIC FOR SALE.

2. NO RETAIL MERCANTILE ESTABLISHMENT SHALL SELL OR OFFER TO SELL OR CAUSE ANY PERSON TO SELL OR OFFER TO SELL A POSTAGE STAMP TO ANY INDIVIDUAL, UNLESS SUCH POSTAGE STAMP IS SOLD FOR ITS ACTUAL FACE VALUE.

3. THE PROVISIONS OF THIS SECTION SHALL NOT BE APPLICABLE TO PHILATELIC ACTIVITIES, MORE COMMONLY KNOWN AS THE COLLECTION AND/OR TRADING OF STAMPS AND OTHER POSTAL MATERIALS.

4. ANY RETAIL MERCANTILE ESTABLISHMENT WHICH FAILS TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION SHALL BE ASSESSED A CIVIL PENALTY NOT TO EXCEED ONE HUNDRED FIFTY DOLLARS FOR EACH VIOLATION OF THIS SECTION.

S 2. This act shall take effect on the sixtieth 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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