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

7078

2009-2010 Regular Sessions

I N A S S E M B L Y

March 19, 2009

Introduced by M. of A. ROSENTHAL -- 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 requiring appearance enhancement business owners to provide masks and gloves to nail specialists

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

Section 1. Section 400 of the general business law is amended by adding two new subdivisions 11 and 12 to read as follows:

11. "OWNER" MEANS A PERSON WHO OR WHICH OWNS, CONTROLS OR OPERATES, WHETHER AS A PARTNER, SHAREHOLDER, OFFICER, INDEPENDENT CONTRACTOR (INCLUDING AREA RENTER) OR PROPRIETOR OF AN APPEARANCE ENHANCEMENT BUSINESS.

12. "AREA RENTER" MEANS A LICENSED INDIVIDUAL NOT ON THE PAYROLL OF OR SUBJECT TO THE WITHHOLDING OF TAXES BY A LICENSED BUSINESS.

S 2. The general business law is amended by adding a new section 405-a to read as follows:

S 405-A. OWNER RESPONSIBILITIES; APPEARANCE ENHANCEMENT BUSINESS. 1. AN OWNER, AN AREA RENTER OR BOTH SHALL BE RESPONSIBLE FOR PROVIDING PROTECTIVE EQUIPMENT NOT LIMITED TO GLOVES AND MASKS FOR EMPLOYEES AND NAIL SPECIALISTS IN ALL APPEARANCE ENHANCEMENT BUSINESSES.

2. EMPLOYEES AND NAIL SPECIALISTS SHALL BE ALLOWED TO WEAR SUCH GLOVES AND MASKS IF THEY SO CHOOSE.

S 3. 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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