

9153

2009-2010 Regular Sessions

I N A S S E M B L Y

September 22, 2009

Introduced by M. of A. WRIGHT -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the general business law and the penal law, in relation to written false statements made by any person to a collateral loan broker or second hand dealer regarding any loan made by such broker or sale to such dealer

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

1 Section 1. Section 44 of the general business law is amended by adding
2 a new subdivision 4 to read as follows:
3 4. EACH PERSON SIGNING A MEMORANDUM OR NOTE PURSUANT TO SUBDIVISION
4 ONE OF THIS SECTION, OR SIGNING A BILL OF SALE PROFFERED TOGETHER WITH
5 PERSONAL PROPERTY TO A SECOND HAND DEALER SHALL AFFIRM THAT THE STATE-
6 MENTS THEREIN ARE TRUE UNDER THE PENALTIES OF THE OFFENSES OF LARCENY
7 AND/OR MAKING A PUNISHABLE FALSE WRITTEN STATEMENT.
8 S 2. Section 210.45 of the penal law is amended to read as follows:
9 S 210.45 Making a punishable false written statement.
10 A person is guilty of making a punishable false written statement when
11 he OR SHE knowingly makes a false statement, which he OR SHE does not
12 believe to be true, in a written instrument:
13 1. bearing a legally authorized form notice to the effect that false
14 statements made therein are punishable; OR
15 2. SUBMITTED TO OBTAIN A LOAN FROM A COLLATERAL LOAN BROKER OR
16 PROCEEDS OF SALE FROM A SECOND HAND DEALER, BEARING A LEGALLY AUTHORIZED
17 FORM NOTICE TO THE EFFECT THAT FALSE STATEMENTS MADE THEREIN ARE PUNISH-
18 ABLE.
19 Making a punishable false written statement is a class A misdemeanor.
20 S 3. This act shall take effect on the sixtieth day after it shall
21 have become a law.

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

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