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

1205--A

2009-2010 Regular Sessions

I N S E N A T E

January 27, 2009

Introduced by Sens. THOMPSON, DUANE, KRUEGER, ONORATO, PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- recommitted to the Committee on Consumer Protection in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to the eligibility criteria for a license to barber

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

Section 1. Paragraph (b) of subdivision 1 of section 434 of the general business law, as amended by chapter 469 of the laws of 2008, is amended to read as follows:

(b) Satisfactory evidence of good moral character, except that in determining an applicant's good moral character, the secretary of state shall not automatically disqualify an applicant on the basis of a criminal conviction, INCLUDING, BUT NOT LIMITED TO NON-VIOLENT FELONIES. The secretary shall review such criminal history information in accordance with article twenty-three-A of the correction law;

S 2. Subdivision 3 of section 438 of the general business law, as amended by chapter 469 of the laws of 2008, is amended to read as follows:

3. An applicant for a barber shop owner's license must establish that he or she is the real owner and possesses title to or is entitled to the possession of the shop. He or she must furnish satisfactory evidence of proper location of the shop, proper layout and adequate equipment for the shop, sanitary conditions in the shop and its surroundings. Such applicant must also furnish satisfactory evidence of good moral character, except that in determining an applicant's good moral character, the secretary of state shall not automatically disqualify an applicant on the basis of a criminal conviction, INCLUDING, BUT NOT LIMITED TO

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

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NON-VIOLENT FELONIES. The secretary shall review such criminal history information in accordance with article twenty-three-A of the correction law.

S 3. This act shall take effect immediately.