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

2358

2009-2010 Regular Sessions

I N S E N A T E

February 18, 2009

Introduced by Sen. STACHOWSKI -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to requiring rebates to be provided at the time of purchase

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. REBATES. 1. FOR THE PURPOSES OF THIS SECTION, "REBATE" SHALL MEAN THE RETURN TO A PURCHASER OF ANY GOOD OR SERVICE OF ANY PORTION OF THE PURCHASE PRICE THEREOF OR A SPECIFIC MONETARY AMOUNT.

2. EVERY REBATE SHALL BE PROVIDED TO A PURCHASER AT THE TIME AND PLACE OF RETAIL PURCHASE OF THE GOOD OR SERVICE TO WHICH THE REBATE APPLIES.

3. ANY PERSON, FIRM, CORPORATION OR ASSOCIATION OFFERING A REBATE WHO VIOLATES THIS SECTION SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT LESS THAN ONE HUNDRED DOLLARS NOR MORE THAN ONE THOUSAND DOLLARS FOR EACH SUCH VIOLATION.

S 2. This act shall take effect on the first of September next succeeding the date on which 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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