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

S. 4973 A. 7862

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

April 27, 2009

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

IN ASSEMBLY -- Introduced by M. of A. WEPRIN, LANCMAN -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to distributing unsolicited advertising on private property in cities with a population of one million or more

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

Section 1. Subdivision 3 of section 397-a of the general business law, as amended by chapter 3 of the laws of 2008, is amended to read as follows:

3. There shall be a rebuttable presumption that the person whose name, telephone number, or other identifying information appears on any unsolicited advertising materials described in subdivision one of this section [and placed at two or more premises] shall be liable for any violations of this section.

S 2. 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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