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

8005

I N S E N A T E

May 28, 2010

Introduced by Sen. PERALTA -- 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 restricting pay-per-call services

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

Section 1. Section 369-ee of the general business law is amended by adding a new subdivision 2-a to read as follows:

2-A. PRIZE CLAIMS BY PAY-PER-CALL SERVICES. IT SHALL BE UNLAWFUL FOR ANY PERSON, FIRM OR CORPORATION TO OFFER A CONSUMER A PRIZE, IF IN ORDER TO CLAIM THE PRIZE, THE CONSUMER MUST CALL A PAY-PER-CALL SERVICE WHERE THE CHARGE FOR SUCH SERVICE IS GREATER THAN THE CHARGE FOR THE TRANSMISSION OF THE CALL AS ASSESSED BY A TELEPHONE CORPORATION REGULATED BY THE PUBLIC SERVICE COMMISSION. AS USED IN THIS SUBDIVISION "PAY-PER-CALL SERVICE" MEANS ANY TELEPHONE SERVICE FOR WHICH THE CALLING PARTY IS ASSESSED, BY VIRTUE OF COMPLETING THE CALL, A CHARGE FOR WHICH THE CALLER PAYS A PER-CALL OR PER-TIME CHARGE THAT IS GREATER THAN, OR IN ADDITION TO, THE CHARGE FOR TRANSMISSION OF THE CALL.

S 2. This act shall take effect on the thirtieth day after it shall have become a law.

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

LBD01910-01-9