

3422

2011-2012 Regular Sessions

I N   A S S E M B L Y

January 25, 2011

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Introduced by M. of A. WRIGHT -- read once and referred to the Committee  
on Economic Development

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 ASSEM-  
BLY, 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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