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

7195

I N S E N A T E

May 1, 2012

Introduced by Sen. AVELLA -- 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 the rebuttable presumption relating to identifying information on an unsolicited advertisement 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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