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

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I N A S S E M B L Y

March 20, 2012

Introduced by M. of A. DINOWITZ, ROSENTHAL, MILLMAN -- Multi-Sponsored by -- M. of A. BOYLAND, CERETTO, DUPREY, MARKEY, McENENY, J. MILLER, MONTESANO, P. RIVERA -- read once and referred to the Committee on Agriculture -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the agriculture and markets law, in relation to unit pricing

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

Section 1. Paragraph b of subdivision 3 of section 214-h of the agriculture and markets law, as amended by chapter 323 of the laws of 1993, is amended to read as follows:

b. The provisions of this section shall not apply TO CONVENIENCE STORES WHICH INCLUDE SMALL STORES WHICH TYPICALLY SELL MOTOR FUEL, TOBACCO PRODUCTS, FAST FOOD AND BEVERAGES AND DO NOT OFFER SUFFICIENT QUANTITY OF CONSUMER COMMODITIES TO MAKE UNIT PRICING USEFUL TO CONSUMERS OR to any retail store having had annual gross sales of consumer commodities in the previous calendar year of less than two and one-half million dollars, UNLESS THE STORE IS A PART OF A NETWORK OF SUBSIDIARIES, AFFILIATES OR OTHER MEMBER STORES, UNDER DIRECT OR INDIRECT COMMON CONTROL, WITH FIVE OR MORE STORES LOCATED IN NEW YORK, WHICH, AS A GROUP, HAD ANNUAL GROSS SALES THE PREVIOUS CALENDAR YEAR OF TWO AND ONE-HALF MILLION DOLLARS OR MORE OF CONSUMER COMMODITIES.

S 2. This act shall take effect on the one hundred eightieth day after 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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