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

9708

I N A S S E M B L Y

March 27, 2012

Introduced by M. of A. M. MILLER -- read once and referred to the Committee on Veterans' Affairs

AN ACT to amend the general business law, in relation to requiring a one hundred twenty-day warning period for certain violations at certain veterans' organization facilities

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

Section 1. The general business law is amended by adding a new section 397-b to read as follows:

S 397-B. WARNING PERIOD FOR CERTAIN VIOLATIONS AT CERTAIN VETERANS' ORGANIZATION FACILITIES. 1. BEFORE ANY MONETARY FINES OR PENALTIES ARE ISSUED OR APPLIED TO THE OWNER OR OPERATOR OF ANY PLACE, POST, FACILITY OR HALL OWNED OR OPERATED BY A CONGRESSIONALLY CHARTERED VETERANS' GROUP, A WARNING PERIOD OF ONE HUNDRED TWENTY DAYS SHALL TAKE PLACE DURING WHICH TIME SUCH GROUP SHALL BE ABLE TO CURE SUCH VIOLATION. IF, AT THE END OF SUCH ONE HUNDRED TWENTY-DAY PERIOD, SUCH VIOLATION CONTINUES, THEN A MONETARY FINE OR PENALTY MAY BE ISSUED OR APPLIED PROVIDED, THAT AFTER SUCH ONE HUNDRED TWENTY-DAY PERIOD, SUCH VETERANS' ORGANIZATION MAY REQUEST AN EXTENSION OF TIME TO CURE SUCH VIOLATION. SUCH REQUEST SHALL BE MADE IN WRITING AND SHALL INCLUDE PROOF OF AN ATTEMPT TO CURE SUCH VIOLATION WITHIN SUCH PERIOD.

2. FOR THE PURPOSES OF THIS SECTION, THE TERM "CONGRESSIONALLY CHARTERED VETERANS' GROUP" SHALL MEAN ANY VETERANS' GROUP THAT HAS BEEN CHARTERED BY THE UNITED STATES CONGRESS UNDER TITLE 36 OF THE UNITED STATES CODE.

S 2. This act shall take effect on the sixtieth 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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