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

5942

2013-2014 Regular Sessions

I N A S S E M B L Y

March 8, 2013

Introduced by M. of A. DINOWITZ -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to ensuring fairness in the value of gifted goods

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

Section 1. Subdivision 3 of section 396 of the general business law is renumbered subdivision 4 and a new subdivision 3 is added to read as follows:

3. NO FIRM, PARTNERSHIP, ASSOCIATION, OR CORPORATION WITH FIVE OR MORE RETAIL LOCATIONS IN THIS STATE, OR AGENT OR EMPLOYEE THEREOF, SHALL PROVIDE A CONSUMER WITH A RECEIPT THAT DOES NOT INCLUDE THE ITEMIZED PRICING OF ANY GOODS OR MERCHANDISE SOLD AT RETAIL UNLESS REQUESTED BY A CONSUMER AT THE TIME OF ORIGINAL SALE. IF A CONSUMER REQUESTS SUCH A RECEIPT, THE PROVIDER OF THE RECEIPT SHALL BE REQUIRED, FOR A PERIOD OF NINETY DAYS AFTER THE DATE OF ORIGINAL SALE, TO RECORD AND HAVE AVAILABLE AS A REFERENCE THE ITEMIZED PRICE OF EACH ITEM SOLD AT THE TIME OF ORIGINAL SALE. UPON A CONSUMER'S RETURN OF ANY ITEM ACCOMPANIED BY A RECEIPT NOT INCLUDING ITEMIZED PRICING FOR ANY SUCH ITEM, THE PROVIDER OF SUCH RECEIPT SHALL REFER TO ITS RECORDS AND, SO LONG AS THE RETURN IS WITHIN NINETY DAYS OF THE ORIGINAL SALE, RETURN TO THE CONSUMER THE TOTAL AMOUNT PAID AT THE TIME OF ORIGINAL SALE IN LEGAL TENDER, A WRITTEN PROMISE OR ELECTRONIC PAYMENT DEVICE.

S 2. This act shall take effect September 1, 2014.

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

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