

6654

2013-2014 Regular Sessions

I N A S S E M B L Y

April 12, 2013

Introduced by M. of A. SIMOTAS, JAFFEE, MILLER, CLARK, ROSENTHAL --
Multi-Sponsored by -- M. of A. COOK, HOOPER, WEINSTEIN -- read once
and referred to the Committee on Judiciary

AN ACT to amend the general business law, in relation to allowing a
private right of action for improper debt collection

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

1 Section 1. Section 602 of the general business law is amended by
2 adding a new subdivision 4 to read as follows:

3 4. A DEBTOR SHALL HAVE A PRIVATE RIGHT OF ACTION AGAINST ANY PERSON OR
4 PERSONS IN VIOLATION OF THIS ARTICLE. SUCH PERSON OR PERSONS SHALL BE
5 LIABLE TO THE DEBTOR FOR ANY ACTUAL DAMAGES THE DEBTOR SUSTAINED AS A
6 RESULT OF THE VIOLATION OF THIS ARTICLE, ANY PUNITIVE DAMAGES AWARDED BY
7 THE COURT, AND REASONABLE ATTORNEY'S FEES.

8 S 2. This act shall take effect on the thirtieth day after it shall
9 have become a law.

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

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