

5554

2015-2016 Regular Sessions

I N A S S E M B L Y

February 27, 2015

Introduced by M. of A. OAKS, KOLB, BARCLAY, DUPREY, WALTER, FINCH,
LAWRENCE -- Multi-Sponsored by -- M. of A. CROUCH, McDONOUGH, SALADI-
NO, STEC -- read once and referred to the Committee on Economic Devel-
opment

AN ACT to amend the general business law, in relation to second hand
video games

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

1 Section 1. The general business law is amended by adding a new article
2 39-H to read as follows:

3 ARTICLE 39-H

4 SECOND HAND VIDEO GAMES

5 SECTION 899-AAAA. DEFINITION.

6 899-BBBB. CERTAIN INFORMATION TO BE RECORDED.

7 899-CCCC. VIOLATIONS AND PENALTIES.

8 S 899-AAAA. DEFINITION. FOR PURPOSES OF THIS ARTICLE "VIDEO GAME"
9 MEANS ANY ELECTRONIC AMUSEMENT DEVICE THAT UTILIZES A COMPUTER, MICRO-
10 PROCESSOR OR SIMILAR ELECTRONIC CIRCUITRY AND ITS OWN MONITOR, OR IS
11 DESIGNED TO BE USED WITH A TELEVISION SET OR A COMPUTER MONITOR, THAT
12 INTERACTS WITH THE USER OF THE DEVICE.

13 S 899-BBBB. CERTAIN INFORMATION TO BE RECORDED. EVERY OWNER OF A
14 COMMERCIAL ESTABLISHMENT WHICH PURCHASES AND RESELLS SECOND HAND VIDEO
15 GAMES SHALL KEEP A BOOK IN WHICH SHALL BE FAIRLY RECORDED, AT THE TIME
16 OF SUCH PURCHASE, AN ACCOUNT AND DESCRIPTION OF THE VIDEO GAME
17 PURCHASED, THE AMOUNT OF MONEY PAID FOR SUCH PURCHASE, THE DATE OF THE
18 PURCHASE, AND THE NAME AND RESIDENCE OF THE PERSON SELLING SUCH VIDEO
19 GAME. NO SUCH PURCHASE SHALL BE MADE UNLESS THE SELLER PROVIDES SATIS-
20 FACTORY PHOTOGRAPHIC IDENTIFICATION TO THE PURCHASER, AND THE FORM OF
21 SUCH IDENTIFICATION SHALL ALSO BE RECORDED.

22 S 899-CCCC. VIOLATIONS AND PENALTIES. A VIOLATION OF THIS ARTICLE
23 SHALL BE PUNISHABLE BY A CIVIL PENALTY OF FROM ONE HUNDRED DOLLARS TO

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

LBD05879-01-5

1 FIVE HUNDRED DOLLARS FOR A FIRST OFFENSE, AND FROM FIVE HUNDRED DOLLARS
2 TO TWENTY-FIVE HUNDRED DOLLARS FOR A SECOND OR SUBSEQUENT OFFENSE.
3 S 2. This act shall take effect on the ninetieth day after it shall
4 have become a law.