

1697

2015-2016 Regular Sessions

I N   S E N A T E

January 14, 2015

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Introduced by Sen. GRIFFO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the general business law, in relation to the disposal of counterfeit products

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

1     Section 1. Subdivisions 5 and 6 of section 360-m of the general busi-  
2     ness law, as added by chapter 507 of the laws of 2014 are amended to  
3     read as follows:  
4     5. Any NOT-FOR-PROFIT CORPORATION THAT HAS RECEIVED counterfeit or  
5     imitation products [received by an organization] through this section  
6     must have the products' IDENTIFYING LAWFUL MARK tags removed or have the  
7     products marked, altered, imprinted or indelibly stamped so as to  
8     prevent their resale or any confusion with the actual products of the  
9     lawful mark owner. SUCH PRODUCTS MUST ALSO BE INSPECTED BY THE  
10    NOT-FOR-PROFIT CORPORATION TO ENSURE THAT THEY ARE IN A CONDITION  
11    CONSISTENT WITH THE FEDERAL CONSUMER SAFETY STANDARDS THAT WOULD ORDI-  
12    NARILY APPLY TO THE SALE OF COMPARABLE LEGITIMATE PRODUCTS.  
13    6. Provided, however, that the only counterfeit or imitation products  
14    that may be donated pursuant to this section shall be clothing, INCLUD-  
15    ING SHOES, and all other counterfeit or imitation products must be  
16    destroyed in accordance with this section or any other provision of  
17    applicable law.  
18    S 2. This act shall take effect immediately.

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

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