

2444

2015-2016 Regular Sessions

I N S E N A T E

January 23, 2015

Introduced by Sens. GIANARIS, KRUEGER -- read twice and ordered printed,
and when printed to be committed to the Committee on Consumer
Protection

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.

LBD07358-01-5