

2444

2015-2016 Regular Sessions

I N   S E N A T E

January 23, 2015

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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.

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