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I N   S E N A T E

February 11, 2016

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Introduced by Sen. MARTINS -- 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 the selling, offering for sale or distribution of any electrical or extension cords with a fraudulent seal for the Underwriters' Laboratory

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

1     Section 1. The general business law is amended by adding a new section  
2     349-f to read as follows:  
3     S 349-F. SELLING OF FRAUDULENT ELECTRICAL OR EXTENSION CORDS. 1. NO  
4     MERCHANT, MANUFACTURER, FIRM, CORPORATION, ASSOCIATION OR AGENT OR  
5     EMPLOYEE THEREOF SHALL KNOWINGLY SELL, OFFER FOR SALE OR DISTRIBUTE IN  
6     THIS STATE ANY ELECTRICAL CORD OR EXTENSION CORD WITH A FRAUDULENT SEAL  
7     FOR THE UNDERWRITERS' LABORATORY. FOR THE PURPOSES OF THIS SECTION, THE  
8     TERM "MERCHANT" SHALL MEAN A PERSON, FIRM OR CORPORATION ENGAGED IN THE  
9     SALE, DISPLAY OR OFFERING FOR SALE OF CONSUMER PRODUCTS OR MERCHANDISE  
10    AT AN ESTABLISHED RETAIL STORE TO A CONSUMER.  
11    2. EVERY MERCHANT, MANUFACTURER, FIRM, CORPORATION OR ASSOCIATION  
12    SHALL BE RESPONSIBLE FOR THE TRAINING AND EDUCATION OF ITS EMPLOYEES TO  
13    LEARN THE DIFFERENCE BETWEEN CERTIFIED UNDERWRITERS' LABORATORY ELEC-  
14    TRICAL OR EXTENSION CORDS AND FRAUDULENT OR COUNTERFEIT ELECTRICAL OR  
15    EXTENSION CORDS.  
16    3. THE PROVISIONS OF THIS SECTION SHALL NOT BE DEEMED TO ALTER OR  
17    OTHERWISE SUPERSEDE ANY OTHER LABELING OR DISCLOSURE REQUIREMENT IMPOSED  
18    BY STATE OR FEDERAL LAW.  
19    4. ENFORCEMENT SHALL BE PROVIDED BY THE LOCAL GOVERNMENT CODE ENFORCE-  
20    MENT ENTITY.  
21    5. THE CIVIL PENALTY FOR A VIOLATION OF THIS SECTION SHALL BE A FINE  
22    UP TO ONE HUNDRED DOLLARS AND THE SELLER OR DISTRIBUTOR SHALL COMPLETE A  
23    TRAINING SEMINAR ON HOW TO IDENTIFY FALSE UNDERWRITERS' LABORATORY  
24    LABELS. FOR THE SECOND OR SUBSEQUENT VIOLATIONS OF THIS SECTION, THE  
25    FINE SHALL BE UP TO FIVE HUNDRED DOLLARS. EACH SALE OF A FRAUDULENT  
26    ELECTRICAL OR EXTENSION CORD IN VIOLATION OF THIS SECTION SHALL CONSTI-  
27    TUTE A SEPARATE VIOLATION.

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

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1       6. A TRAINING COMPONENT SHALL BE CREATED AND PROVIDED BY THE OFFICE OF  
2 FIRE PREVENTION AND CONTROL AND SHALL BE MADE AVAILABLE ON ITS WEBSITE.  
3 ANY PERSON FOUND SELLING ELECTRICAL PRODUCTS WITH FALSE UNDERWRITERS'  
4 LABORATORY LABELS SHALL TAKE AN ON-LINE COURSE.  
5       S 2. This act shall take effect on the one hundred twentieth day after  
6 it shall have become a law.