S T A T E O F N E W Y O R K

6957

I N S E N A T E

March 10, 2016

Introduced by Sen. AVELLA -- 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 imposing restrictions on vending like goods and services

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

Section 1. The general business law is amended by adding a new section 38-a to read as follows:

S 38-A. RESTRICTIONS ON VENDING LIKE GOODS AND SERVICES. 1. FOR THE PURPOSES OF THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

(A) "LIKE GOODS AND SERVICES" MEANS ANY PRODUCT OR SERVICE WHICH IS BOUGHT AND SOLD AND IS SUBSTANTIALLY SIMILAR TO ANOTHER SUCH PRODUCT OR SERVICE.

(B) "FOOD" MEANS RAW, COOKED OR PROCESSED EDIBLE SUBSTANCES, BEVERAGES, INGREDIENTS, ICE OR WATER USED OR INTENDED FOR USE OR FOR SALE IN WHOLE OR IN PART FOR HUMAN CONSUMPTION.

(C) "VENDOR" MEANS A PERSON WHO HAWKS, PEDDLES, SELLS OR OFFERS FOOD, GOODS OR PRODUCTS FOR SALE AT RETAIL IN ANY PUBLIC SPACE.

2. NOTWITHSTANDING THE PROVISIONS OF SECTIONS THIRTY-TWO AND THIRTY-FIVE-A OF THIS ARTICLE, EVERY PERSON WHO VENDS GOODS TO RETAIL TRADE ON PUBLIC STREETS SHALL BE A MINIMUM OF ONE HUNDRED FEET AWAY FROM THE EDGE OF THE PROPERTY OF A PLACE OF BUSINESS WHICH SELLS RETAIL TRADE, LIKE GOODS, FOOD AND PRODUCE WHICH THE STREET VENDOR IS OFFERING FOR SALE.

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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