

# STATE OF NEW YORK

6668

2017-2018 Regular Sessions

## IN ASSEMBLY

March 15, 2017

Introduced by M. of A. TITONE -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to deceptive acts and practices, and false advertising by talent services

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  
2 350-f-2 to read as follows:

3 § 350-f-2. Talent services. 1. Definitions. As used in this section:

4 (a) "Artist" means an actor or actress rendering services on the  
5 legitimate stage and in the production of motion pictures, radio artist,  
6 musical artist, musical organization, director of legitimate stage,  
7 motion picture or radio productions, musical director, writer, cinema-  
8 tographer, composer, lyricist, arranger, model, or other artist or  
9 person rendering professional services in motion picture, theatrical,  
10 radio, television and other entertainment enterprises.

11 (b) "Fee" means anything of value, including any money or other valu-  
12 able consideration charged, collected, received, paid or promised for  
13 any service or act rendered or to be rendered by a talent service.

14 (c) "Person" means any individual, company, society, association,  
15 corporation, manager, contractor, subcontractor, partnership, bureau,  
16 agency, service, office, or the agent or employee thereof; but shall not  
17 include a public education institution, a nonprofit organization, a  
18 labor organization, a public institution or a person licensed pursuant  
19 to article eleven of this chapter.

20 (d) "Talent service" means any person who, for a fee from or on behalf  
21 of an artist, provides, or offers to provide an artist, directly or by  
22 referral to another person, with lessons, coaching, seminars, workshops  
23 or similar training as an artist; career counseling, vocational guid-  
24 ance, aptitude testing or career evaluation as an artist; or a list of  
25 auditions, employment opportunities, talent agents or talent managers.

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

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1     2. Prohibited acts. It shall be considered a deceptive act or practice  
2     pursuant to section three hundred forty-nine of this article and false  
3     advertising pursuant to section three hundred fifty of this article for  
4     any talent service to make any oral or written representation that the  
5     talent service will or may, directly or indirectly for a fee, procure or  
6     attempt to procure for an artist an employment opportunity or engage-  
7     ment, an audition or job interview, or a talent agent or manager. Writ-  
8     ten representations and advertisements of talent services shall not  
9     include testimonials that mention or imply any success in procuring for  
10    an artist any such employment opportunity or engagement, audition or job  
11    interview, or talent agent or manager.

12     § 2. This act shall take effect immediately.