STATE OF NEW YORK

977

2017-2018 Regular Sessions

IN SENATE

January 5, 2017

Introduced by Sen. VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the general business law, in relation to requiring telemarketers to transmit to consumers the correct caller identification information

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 2-a of section 399-z of the general business law, as added by a chapter of the laws of 2016 amending the general business law, relating to the transmission of caller identification to consumers, as proposed in legislative bills numbers S.6809-B and A.9457-A, is amended to read as follows:

2-a. It shall be unlawful for any telemarketer or seller to **knowingly** cause any caller identification service to [~~knowingly~~] transmit misleading, inaccurate, or false caller identification information, provided that it shall not be a violation to substitute (for the name and phone number used in, or billed for, making the call) the name or telephone number of the person or seller on behalf of which a telemarketing call is placed.

§ 2. Subdivision 7-a of section 399-pp of the general business law, as added by a chapter of the laws of 2016 amending the general business law, relating to the transmission of caller identification to consumers, as proposed in legislative bills numbers S.6809-B and A.9457-A is amended to read as follows:

7-a. Unlawful transmission of certain caller identification information. It shall be unlawful for any telemarketer or seller to **knowingly** cause any caller identification service to [~~knowingly~~] transmit misleading, inaccurate, or false caller identification information, provided that it shall not be a violation to substitute (for the name and phone number used in, or billed for, making the call) the name or telephone

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

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number of the person or seller on behalf of which a telemarketing call is placed.

§ 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2016 amending the general business law, relating to the transmission of caller identification to consumers, as proposed in legislative bills numbers S.6809-B and A.9457-A, takes effect.