

# STATE OF NEW YORK

4931

2019-2020 Regular Sessions

## IN ASSEMBLY

February 5, 2019

Introduced by M. of A. BLAKE, MOSLEY, D'URSO, QUART, ARROYO, SIMON, RICHARDSON, BARRON -- Multi-Sponsored by -- M. of A. COOK, EPSTEIN -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, the insurance law and the general business law, in relation to prohibiting the bail bond business; and to repeal certain provisions of such laws, relating thereto

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

1 Section 1. Subdivision 1 of section 520.10 of the criminal procedure  
2 law, paragraph (i) as amended by chapter 457 of the laws of 2005, is  
3 amended to read as follows:

4 1. The only authorized forms of bail are the following:

5 (a) Cash bail.

6 (b) [~~An insurance company bail bond.~~

7 ~~(e)~~] A secured surety bond.

8 [~~(d)~~] (c) A secured appearance bond.

9 [~~(e)~~] (d) A partially secured surety bond.

10 [~~(f)~~] (e) A partially secured appearance bond.

11 [~~(g)~~] (f) An unsecured surety bond.

12 [~~(h)~~] (g) An unsecured appearance bond.

13 [~~(i)~~] (h) Credit card or similar device; provided, however, that  
14 notwithstanding any other provision of law, any person posting bail by  
15 credit card or similar device also may be required to pay a reasonable  
16 administrative fee. The amount of such administrative fee and the time  
17 and manner of its payment shall be in accordance with the system estab-  
18 lished pursuant to subdivision four of section 150.30 of this chapter or  
19 paragraph (j) of subdivision two of section two hundred twelve of the  
20 judiciary law, as appropriate.

21 § 2. Subdivision 16 of section 500.10 of the criminal procedure law is  
22 REPEALED and subdivisions 17, 18, 19 and 20 are renumbered subdivisions  
23 16, 17, 18 and 19.

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

LBD01754-01-9

1 § 3. Paragraph (a) of subdivision 1 of section 520.30 of the criminal  
 2 procedure law, as amended by chapter 384 of the laws of 1984, is amended  
 3 to read as follows:

4 (a) The background, character and reputation of any obligor [~~, and, in~~  
 5 ~~the case of an insurance company bail bond, the qualifications of the~~  
 6 ~~surety obligor and its executing agent~~]; and

7 § 4. The article heading of article 68 of the insurance law is amended  
 8 to read as follows:

9 ~~[BAIL BONDS]~~ CHARITABLE BAIL ORGANIZATIONS

10 § 5. Sections 6801, 6802, 6803 and 6804 of the insurance law are  
 11 REPEALED and section 6805 is renumbered section 6801.

12 § 6. The general business law is amended by adding a new section 391-u  
 13 to read as follows:

14 § 391-u. Prohibit the bail bond business. 1. For purposes of this  
 15 section "bail bond business" shall mean any person, partnership, or  
 16 corporation engaged for profit in the business of furnishing bail, or to  
 17 otherwise for compensation or other consideration furnish bail or funds  
 18 or property to serve as bail or make bonds or enter into undertakings as  
 19 surety for the appearance of persons charged with any criminal offense  
 20 or violation of law or ordinance punishable by fine or imprisonment  
 21 before any court of this state, or securing the payment of fines imposed  
 22 and of costs assessed by such courts upon final disposition thereof. The  
 23 business of bail bondsman shall be limited to the acts, transactions,  
 24 and undertakings described in this subdivision.

25 2. It shall be unlawful for any person, partnership, or corporation to  
 26 engage in the bail bond business as defined in subdivision one of this  
 27 section.

28 3. Any person, partnership, or corporation who violates this section  
 29 shall be guilty of a class A misdemeanor punishable by a fine not to  
 30 exceed five hundred dollars, or by imprisonment of not more than one  
 31 year, or by both such fine and imprisonment.

32 § 7. The article heading of article 7 of the general business law, as  
 33 amended by chapter 562 of the laws of 2000, is amended to read as  
 34 follows:

35 PRIVATE INVESTIGATORS [~~, BAIL ENFORCEMENT~~  
 36 ~~AGENTS]~~ AND WATCH, GUARD AND PATROL AGENCIES

37 § 8. Section 70-a of the general business law, as added by chapter 115  
 38 of the laws of 2015, is amended to read as follows:

39 § 70-a. [~~Bail enforcement agents and watch]~~ Watch, guard or patrol  
 40 agencies. 1. The department of state shall have the power to issue  
 41 separate licenses to [~~bail enforcement agents and to~~] watch, guard or  
 42 patrol agencies. Nothing in this article shall prevent a private inves-  
 43 tigator licensed hereunder from performing the services of a watch,  
 44 guard or patrol agency [~~or bail enforcement agent~~] as defined in this  
 45 article; however, a watch, guard or patrol agency [~~or bail enforcement~~  
 46 ~~agent~~] may not perform the services of a private investigator as defined  
 47 in this article.

48 2. No person, firm, company, partnership, limited liability company or  
 49 corporation shall engage in the business of [~~bail enforcement agents or~~  
 50 ~~the business of~~] watch, guard or patrol agency, or advertise his, their  
 51 or its business to be that of [~~bail enforcement agent or~~] watch, guard  
 52 or patrol agency, notwithstanding the name or title used in describing  
 53 such agency or notwithstanding the fact that other functions and  
 54 services may also be performed for fee, hire or reward, without having  
 55 first obtained from the department of state a license so to do, as here-  
 56 inafter provided, for each bureau, agency, sub-agency, office and branch

1 office to be owned, conducted, managed or maintained by such person,  
2 firm, company, partnership, limited liability company or corporation for  
3 the conduct of such business.

4 3. Any person, firm, company, partnership or corporation who violates  
5 any provision of this section shall be guilty of a class B misdemeanor.

6 § 9. Subdivisions 1-a and 4 of section 71 of the general business law  
7 are REPEALED.

8 § 10. The opening paragraph of section 72 of the general business law,  
9 as amended by chapter 562 of the laws of 2000, is amended to read as  
10 follows:

11 Application for licenses. Any person, firm, partnership, limited  
12 liability company or corporation intending to conduct the business of  
13 private investigator[, ~~business of bail enforcement agent~~] or the busi-  
14 ness of watch, guard or patrol agency, and any person, firm, partner-  
15 ship, limited liability company or corporation intending to conduct the  
16 business of furnishing or supplying information as to the personal char-  
17 acter of any person or firm, or as to the character or kind of the busi-  
18 ness and occupation of any person, firm or corporation, society or asso-  
19 ciation or any person or group of persons, or intending to own, conduct,  
20 manage or maintain a bureau or agency for the above mentioned purposes,  
21 or while engaged in other lawful business activities also intending to  
22 engage in any one or more of the activities set forth in section seven-  
23 ty-one of this article except exclusively as to the financial rating,  
24 standing, and credit responsibility of persons, firms, companies or  
25 corporations or as to personal habits and financial responsibility of  
26 applicants for [~~insurance indemnity bonds or~~] commercial credit or of  
27 claimants under insurance policies shall, for each such bureau or agency  
28 and for each and every sub-agency, office and branch office to be owned,  
29 conducted, managed or maintained by such person, firm, partnership,  
30 limited liability company or corporation for the conduct of such busi-  
31 ness, file in the office of the department of state a written applica-  
32 tion, on forms provided by the department containing such information  
33 and documentation, including fingerprints, as the secretary of state may  
34 require by rule and regulation.

35 § 11. Subdivision 1 of section 73 of the general business law, as  
36 amended by chapter 562 of the laws of 2000, is amended to read as  
37 follows:

38 1. The secretary of state shall have the power to enforce the  
39 provisions of this article and article seven-A of this chapter and upon  
40 complaint of any person, or on his own initiative, to investigate any  
41 violation thereof or to investigate the business, business practices and  
42 business methods of any person, firm, limited liability company, part-  
43 nership or corporation applying for or holding a license as a private  
44 investigator[, ~~bail enforcement agent~~] or watch, guard or patrol agency,  
45 if in the opinion of the secretary of state such investigation is  
46 warranted. Each such applicant or licensee shall be obliged, on request  
47 of the secretary of state, to supply such information, books, papers or  
48 records as may be required concerning his, their or its business, busi-  
49 ness practices or business methods, or proposed business practices or  
50 methods. Failure to comply with a lawful request of secretary shall be a  
51 ground for denying an application for a license, or for revoking,  
52 suspending, or failing to renew a license issued under this article.

53 § 12. Paragraphs (a) and (b) of subdivision 1 of section 74 of the  
54 general business law, as amended by chapter 562 of the laws of 2000,  
55 paragraph (b) as further amended by section 104 of part A of chapter 62  
56 of the laws of 2011, are amended to read as follows:

1 (a) The application shall be accompanied by a non-refundable fee,  
2 payable to the department of state for the use of the state, for each  
3 certificate of license, as hereinbelow enumerated, issued to the appli-  
4 cant, if the applicant be an individual, of four hundred dollars for a  
5 license as private investigator [~~or bail enforcement agent~~] or a fee of  
6 three hundred dollars for a license as watch, guard or patrol agency, or  
7 if the applicant be a firm, partnership, limited liability company or  
8 corporation, a fee of five hundred dollars for a license as private  
9 investigator [~~or bail enforcement agent~~] or a fee of four hundred  
10 dollars for a license as watch, guard or patrol agency.

11 (b) When the application shall have been examined and such further  
12 inquiry and investigation made as the secretary of state shall deem  
13 proper, and when the secretary of state shall be satisfied therefrom of  
14 the good character, competency and integrity of such applicant, or, if  
15 the applicant be a firm or partnership, the individual members thereof,  
16 or if the applicant be a limited liability company, the individual  
17 members thereof, or if the applicant be a corporation, the president,  
18 secretary, treasurer and all other officers and all directors thereof,  
19 and each stockholder owning ten per centum or more of the stock and a  
20 period to ten days from the date of the filing of the application shall  
21 have passed, the department of state shall issue and deliver to such  
22 applicant a certificate of license to conduct such business and to own,  
23 conduct or maintain a bureau, agency, sub-agency, office or branch  
24 office for the conduct of such business on the premises stated in such  
25 application upon the applicant's executing, delivering and filing in the  
26 office of such department a surety company bond in the sum of ten thou-  
27 sand dollars; provided however, that [~~an applicant for a license as a~~  
28 ~~bail enforcement agent shall execute, deliver and file with the office~~  
29 ~~of such department a surety company bond in the sum of five hundred~~  
30 ~~thousand dollars, conditioned for the faithful and honest conduct of~~  
31 ~~such business by such applicant, which surety bond must be written by a~~  
32 ~~company recognized and approved by the superintendent of financial~~  
33 ~~services of the state, and approved by the department of state with~~  
34 ~~respect to its form, manner of execution and sufficiency provided,~~  
35 ~~further, however,~~] before a license is issued to a non-resident the  
36 applicant must file with the secretary of state a written consent to the  
37 jurisdiction of the courts of New York (i) in any case or cases arising  
38 from any contract for the performance of private investigative services  
39 as private investigator[, ~~bail enforcement agent~~] or watch, guard or  
40 patrol agency, made within the state or to be performed, wholly or in  
41 part, within the state or in any way connected with the conduct of busi-  
42 ness within the state, and (ii) in any case or cases arising from any  
43 tort occurring within the state or occurring in connection with the  
44 business of the licensee within the state. The license as private inves-  
45 tigator[, ~~bail enforcement agent~~] or watch, guard or patrol agency  
46 granted pursuant to this article shall last for a period of two years,  
47 but shall be revocable at all times by the department of state for cause  
48 shown. Such bond shall be taken in the name of the people of the state  
49 of New York, and any person injured by the violation of any of the  
50 provisions of this article or by the wilful, malicious and wrongful act  
51 of the principal or employee may bring an action against such principal,  
52 employee or both on said bond in his own name to recover damages  
53 suffered by reason of such wilful, malicious and wrongful act. In each  
54 and every suit, or prosecution arising out of this article, the agency  
55 of any employee as to the employment and as to acting in the course of  
56 his employment, shall be presumed. The license certificate shall be in a

1 form to be prescribed by the secretary of state and shall specify the  
2 full name of the applicant, the location of the principal office or  
3 place of business and the location of the bureau, agency, sub-agency,  
4 office or branch office for which the license is issued, the date on  
5 which it is issued, the date on which it will expire and the names and  
6 residences of the applicant or applicants filing the statement required  
7 by section seventy-two of this article upon which the license is issued  
8 and in the event of a change of any such address or residence the  
9 department of state shall be duly notified in writing of such change  
10 within twenty-four hours thereafter, and failure to give such notifica-  
11 tion shall be sufficient cause for revocation of such license. No such  
12 license as private investigator[~~, bail enforcement agent~~] or watch,  
13 guard or patrol agency shall be issued to a person under the age of  
14 twenty-five years.

15 § 13. Section 74-a of the general business law is REPEALED.

16 § 14. Section 80 of the general business law, as amended by chapter  
17 562 of the laws of 2000, is amended to read as follows:

18 § 80. License certificates, pocket cards or badges. Upon the issuing  
19 of a license as hereinbefore provided the department of state shall  
20 issue to each person, partner, member of a limited liability company or  
21 officer of a corporation making and filing a statement required by  
22 section seventy-two of this article a pocket card of such size and  
23 design as the department of state may prescribe, which card shall  
24 contain a photograph of the licensee, the name and business address of  
25 the licensee and the imprint or impress of the seal of the department of  
26 state which pocket card shall be evidence of due authorization pursuant  
27 to the terms of this article. All persons to whom such license certif-  
28 icates or pocket cards shall have been issued shall be responsible for  
29 the safe keeping of the same, and shall not lend, enable, let or allow  
30 any other person to have, hold, use or display such certificate or pock-  
31 et card; and any person so parting with such a license certificate or  
32 pocket card or displaying the same without authority, or who shall  
33 display any license certificate or pocket card purporting to authorize  
34 the holder thereof to act as a private investigator[~~, bail enforcement~~  
35 ~~agent or~~] watch, guard or patrol agency, unless the same shall have been  
36 duly issued pursuant to the provisions of this article, shall be guilty  
37 of a misdemeanor. Failure to comply with the provisions of this section  
38 shall be sufficient cause for revocation of such license, and all such  
39 certificates or pocket cards shall be returned to the department of  
40 state within seventy-two hours after the holder thereof has received  
41 notice in writing of the expiration or revocation of such license. It  
42 shall be unlawful for a holder of a license or anyone else to distrib-  
43 ute, possess, use or display any license certificate, pocket card,  
44 badge, shield or any other indicia of a license status pursuant to this  
45 article except as set forth in this article. Any person who is a licen-  
46 see hereunder or an officer or authorized employee of any other person,  
47 firm, limited liability company or corporation, whether or not licensed  
48 hereunder, while performing the services of a watchman, guard or private  
49 patrolman, may wear on his outer clothing a rectangular metal or woven  
50 insignia approved by the department of state, which insignia shall not  
51 be larger than three inches high nor four inches wide with an  
52 inscription thereon containing the word "watchman", "guard", "patrol" or  
53 "special service" and the name of such licensee or employer. It shall be  
54 unlawful for any employer, whether or not licensed hereunder, to wear or  
55 distribute to his, their or its employees any employment identification  
56 except as authorized in this article and approved by the secretary of

1 state. Any person violating any provision of this section shall be guilty of a misdemeanor.

2  
3 § 15. Subdivision 1 of section 81 of the general business law, as amended by section 14 of part LL of chapter 56 of the laws of 2010, is amended to read as follows:

4  
5  
6 1. The holder of any license certificate issued pursuant to this article may employ to assist him in his work of private detective or investigator ~~[or bail enforcement agent]~~ as described in section seventy-one  
7  
8 of this article and in the conduct of such business as many persons as  
9 he may deem necessary, and shall at all times during such employment be  
10 legally responsible for the good conduct in the business of each and  
11 every person so employed. No holder of any unexpired license certificate issued pursuant to this article shall knowingly employ in  
12 connection with his or its business in any capacity whatsoever, any  
13 person who has been convicted of a felony or any of the offenses specified in subdivision two of section seventy-four of this article, and who  
14 has not subsequent to such conviction received executive pardon therefor removing this disability, or received a certificate of relief from disabilities or a certificate of good conduct pursuant to article twenty-three of the correction law to remove the disability under this section  
15 because of such a conviction, or any person whose private detective or  
16 investigator's license ~~[or bail enforcement agent's license]~~ was revoked  
17 or application for such license was denied by the department of state or  
18 by the authorities of any other state or territory because of conviction  
19 of any of such offenses. Should the holder of an unexpired license  
20 certificate falsely state or represent that a person is or has been in  
21 his employ, such false statement or misrepresentation shall be sufficient cause for the revocation of such license. Any person falsely stating or representing that he is or has been a detective or employed by a  
22 detective agency ~~[or that he is or has been a bail enforcement agent or employed by a bail enforcement agency]~~ shall be guilty of a misdemeanor.

23  
24  
25  
26  
27  
28  
29  
30  
31  
32 § 16. The opening paragraph of section 83 of the general business law, as amended by chapter 127 of the laws of 2015, is amended to read as  
33 follows:

34  
35 Nothing in this article shall apply to any detective or officer  
36 belonging to the police force of the state, or any county, city, town or  
37 village thereof, appointed or elected by due authority of law, or to any  
38 person in the employ of any police force or police department of the  
39 state, or of any county, city, town or village thereof while engaged in  
40 the performance of their official duties; nor to any person, firm,  
41 limited liability company, partnership, corporation, or any bureau or  
42 agency, whose business is exclusively the furnishing of information as  
43 to the business and financial standing, and credit responsibility of  
44 persons, firms, or corporations, or as to the personal habits and financial responsibility of applicants for insurance, indemnity bonds or  
45 commercial credit or of claimants under insurance policies, nor to any  
46 person licensed as a certified public accountant while engaged in the  
47 practice of public accountancy as defined in article one hundred forty-nine of the education law or any firm, limited liability company, partnership or corporation registered as a certified public accounting firm  
48 by the commissioner of education while performing services regulated  
49 under article one hundred forty-nine of the education law or Part 70 of  
50 the regulations of the commissioner of education; and whose business  
51 does not embrace other activities described in section seventy-one of  
52 this article; or whose business is licensed by the commissioner of labor  
53 under the provisions of section twenty-four-a or subdivision three-b of  
54  
55  
56

1 section fifty of the workers' compensation law or whose business is  
2 representing employers or groups of employers insured under the workers'  
3 compensation law in the state insurance fund; nor to any corporation  
4 duly authorized by the state to operate a central burglar or fire alarm  
5 protection business; nor to any person while engaged in the business of  
6 adjuster for an insurance company nor to any public adjuster licensed by  
7 the superintendent of financial services under the insurance law nor to  
8 any person regularly employed as special agent, detective or investi-  
9 gator exclusively by one employer in connection with the affairs of that  
10 employer only nor to any charitable or philanthropic society or associ-  
11 ation duly incorporated under the laws of the state and which is organ-  
12 ized and maintained for the public good and not for private profit, nor  
13 shall anything in this article contained be construed to affect in any  
14 way attorneys or counselors at law in the regular practice of their  
15 profession, but such exemption shall not enure to the benefit of any  
16 employee or representative of such attorney or counselor at law who is  
17 not employed solely, exclusively and regularly by such attorney or coun-  
18 selor at law. No person, firm, limited liability company, partnership,  
19 corporation or any bureau or agency exempted hereunder from the applica-  
20 tion of this article shall perform any manner of private investigator[  
21 ~~bail enforcement agent~~] or watch, guard or patrol agency service as  
22 described in section seventy-one of this article, for any other person,  
23 firm, limited liability company, partnership, corporation, bureau or  
24 agency whether for fee, hire, reward, other compensation, remuneration,  
25 or consideration or as an accommodation without fee, reward or remunera-  
26 tion or by a reciprocal arrangement whereby such services are exchanged  
27 on request of parties thereto. The commission of a single act prohibit-  
28 ed by this article shall constitute a violation thereof.

29 § 17. Subdivision 1 of section 84 of the general business law, as  
30 amended by chapter 84 of the laws of 2001, is amended to read as  
31 follows:

32 1. It is unlawful for the holder of a license, issued under this arti-  
33 cle, or for any employee of such licensee, knowingly to commit any of  
34 the following acts within or without the state of New York: to incite,  
35 encourage, or aid in the incitement or encouragement of any person or  
36 persons who have become a party to any strike, to do unlawful acts  
37 against the person or property of any one, or to incite, stir up, create  
38 or aid in the inciting of discontent or dissatisfaction among the  
39 employees of any person, firm, limited liability company or corporation  
40 with the intention of having them strike; to interfere or prevent lawful  
41 and peaceful picketing during strikes; to interfere with, restrain, or  
42 coerce employees in the exercise of their right to form, join or assist  
43 any labor organization of their own choosing; to interfere or hinder the  
44 lawful or peaceful collective bargaining between employees and employ-  
45 ers; to pay, offer, or give any money, gratuity, favor, consideration,  
46 or other thing of value, directly or indirectly, to any person for any  
47 verbal or written report of the lawful activities of employees in the  
48 exercise of their right of self-organization, to form, join, or assist  
49 labor organizations and to bargain collectively through representatives  
50 of their own choosing; to advertise for, recruit, furnish or replace or  
51 offer to furnish or replace for hire or reward, within or without the  
52 state of New York, any help or labor, skilled or unskilled, or to  
53 furnish or offer to furnish armed guards, other than armed guards there-  
54 tofore regularly employed for the protection of payrolls, property or  
55 premises, for service upon property which is being operated in antic-  
56 ipation of or during the course or existence of a strike, or furnish

1 armed guards upon the highways, for persons involved in labor disputes  
2 or to furnish or offer to furnish to employers or their agents, any  
3 arms, munitions, tear gas implements, or any other weapons; or to send  
4 letters or literature to employers offering to eliminate labor unions or  
5 distribute or circulate any list of members of a labor organization, or  
6 to advise any person of the membership of an individual in a labor  
7 organization for the express purpose of preventing those so listed or  
8 named from obtaining or retaining employment. The violation of any of  
9 the provisions of this section shall constitute a misdemeanor and shall  
10 be punishable by a fine of not less than five hundred dollars, or one  
11 year's imprisonment or both. It is unlawful for the holder of a license  
12 to collect or offer or attempt to collect or directly or indirectly  
13 engage in the business of collecting of debts or claims of any kind,  
14 excepting that the taking possession, on behalf of a secured party  
15 having the right to do so under section 9--609 of the uniform commercial  
16 code, of property in the possession of a debtor who has defaulted in the  
17 performance of a security agreement secured by such property, shall not  
18 be considered a violation of this section and excepting further that the  
19 secretary of state may grant exemption from this prohibition in the  
20 collection of debts to licensees who are principally engaged in the  
21 business of credit investigation and credit reporting. It is unlawful  
22 for the holder of a license to furnish or perform any services described  
23 in subdivisions one and two of section seventy-one of this article on a  
24 contingent or percentage basis or to make or enter into any agreement  
25 for furnishing services of any kind or character, by the terms or condi-  
26 tions of which agreement the compensation to be paid for such services  
27 to the holder of a license is partially or wholly contingent or based  
28 upon a percentage of the amount of money or property recovered or  
29 dependent in any way upon the result achieved. It shall be unlawful for  
30 a holder of a license to use, display, cause to be printed or distrib-  
31 uted, cards, letter-heads, circulars, brochures or any other advertising  
32 material or advertisement in which any name or indicia of the license  
33 status of the licensee is set forth in any manner other than the name  
34 under which the licensee is duly licensed. It is unlawful for a licensed  
35 private investigator [~~or bail enforcement agent~~] to own, have or possess  
36 or in any manner to wear, exhibit or display, a shield or badge of any  
37 material, kind, nature or description, in the performance of any of the  
38 activities as private investigator [~~or bail enforcement agent~~], as  
39 distinguished from watch, guard or patrol agency, under this article.  
40 It is unlawful for a licensed private investigator [~~or bail enforcement~~  
41 ~~agent~~] to issue to any person employed by such licensee, a badge or  
42 shield of any material, kind, nature or description, and it is unlawful  
43 for any person employed by such licensee to possess, carry or display a  
44 badge or shield of any description provided that any licensed private  
45 investigator [~~or bail enforcement agent~~] who also engages in the busi-  
46 ness of watch, guard or patrol agency may possess, use or display or  
47 issue to employees in the conduct of such business, a rectangular metal  
48 or woven insignia to be worn on the outer clothing and approved by the  
49 department of state, which insignia shall not be larger than three inch-  
50 es high or four inches wide with an inscription thereon containing the  
51 word "watchman", "guard", "patrol" or "special service" and the name of  
52 the licensee. It shall be unlawful for any licensee to publish or cause  
53 to be published any advertisement, letter-head, circular, statement or  
54 phrase of any sort which suggests that the licensee is an official  
55 police or investigative agency or any other agency instrumentality of  
56 the state of New York or any of its political subdivisions. It shall be

1 unlawful for any licensee to make any statement which would reasonably  
2 cause another person to believe that the licensee is a police officer or  
3 official investigator of the state of New York or any of its political  
4 subdivisions. It shall be unlawful for a licensee to offer, by radio,  
5 television, newspaper advertisement or any other means of communication,  
6 to perform services at any location which is merely the location of a  
7 telephone answer service unless full disclosure of that fact is made in  
8 the advertisement.

9 § 18. This act shall take effect on the one hundred eightieth day  
10 after it shall have become a law.