

STATE OF NEW YORK

793

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sen. LANZA -- 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 establishing a fine for knowingly transmitting misleading, inaccurate, or false caller identification information and raising the maximum fine for other related violations

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

1 Section 1. Subdivision 2-a and paragraph a of subdivision 12 of
2 section 399-z of the general business law, subdivision 2-a as amended by
3 chapter 18 of the laws of 2017, paragraph a of subdivision 12 as amended
4 by chapter 369 of the laws of 2012, are amended to read as follows:

5 2-a. It shall be unlawful for any telemarketer or seller to knowingly
6 cause any caller identification service to transmit misleading, inaccurate,
7 or false caller identification information, including but not
8 limited to copied or incorrect telephone numbers, provided that it shall
9 not be a violation to substitute (for the name and phone number used in,
10 or billed for, making the call) the name or telephone number of the
11 person or seller on behalf of which a telemarketing call is placed. A
12 violation of this subdivision shall result in a twenty-five thousand
13 dollar fine for each offense. This subdivision shall not apply to tele-
14 phone calls placed by law enforcement or telephone calls placed by an
15 individual or organization that has deliberately disguised such informa-
16 tion to ensure the safety and welfare of individuals affected by domes-
17 tic violence.

18 a. Where it is determined after hearing that any person has violated
19 one or more provisions of this section, the secretary, or any person
20 deputized or so designated by him or her may assess a fine not to exceed
21 [~~eleven~~ twenty-five thousand dollars for each violation.

22 § 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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