

# STATE OF NEW YORK

6756--A

2021-2022 Regular Sessions

## IN ASSEMBLY

March 29, 2021

Introduced by M. of A. CUSICK, WALSH, PALMESANO, GRIFFIN, SIMPSON --  
read once and referred to the Committee on Consumer Affairs and  
Protection -- committee discharged, bill amended, ordered reprinted as  
amended and recommitted to said committee

AN ACT to amend the general business law, in relation to telemarketing  
calls during a state of emergency

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

Section 1. Subdivision 5-a of section 399-z of the general business  
law, as added by chapter 680 of the laws of 2019, is amended to read as  
follows:

5-a. It shall be unlawful for any telemarketer doing business in this  
state to knowingly make an unsolicited telemarketing sales call to any  
person in a county, city, town or village under a declared state of  
emergency or disaster emergency as described in [~~sections~~] section twen-  
ty-four or twenty-eight of the executive law; provided, however, that  
the telemarketing restrictions pursuant to this section shall not apply  
to any business or professional service that has been deemed essential  
by an executive order.

§ 2. Paragraph f of subdivision 7 of section 399-pp of the general  
business law, as added by chapter 680 of the laws of 2019, is amended to  
read as follows:

f. knowingly make an unsolicited telemarketing sales call to any  
person in a county, city, town or village under a declared state of  
emergency or disaster emergency as described in [~~sections~~] section twen-  
ty-four or twenty-eight of the executive law; provided, however, that  
the telemarketing restrictions pursuant to this section shall not apply  
to any business or professional service that has been deemed essential  
by an executive order.

§ 3. This act shall take effect immediately.

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

LBD10571-02-1