STATE OF NEW YORK

7478

2021-2022 Regular Sessions

IN SENATE

October 27, 2021

Introduced by Sen. REICHLIN-MELNICK -- 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 authorizing minors to operate temporary businesses without certain licenses or permits

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

Section 1. The general business law is amended by adding a new section 398-g to read as follows:

§ 398-g. Temporary businesses operated by minors. 1. For the purposes of this section:

(a) "Minor" shall mean an individual under the age of eighteen.

(b) "Temporary business" shall mean any business that operates for less than thirty days and generates less than five thousand dollars in profit in a calendar year.

2. Notwithstanding any other provision of law, rule or regulation to the contrary, a minor shall not be required to obtain any permit or license, other than a license required by article five, six, six-C, six-D, seven, eight-B, eleven, fourteen, twenty-seven, twenty-seven-A, twenty-eight, twenty-nine-A, thirty-five-C or forty-one of this chapter or a professional license required by the education law or the public health law, to operate a temporary business.

3. The local governing body or the local law enforcement agency of the city, town, or village in which the minor operated temporary business is located may require such minor to move the location of such temporary business if such location is determined to pose a substantial risk to the health and safety of such minor or of the general public.

§ 2. This act shall take effect immediately.

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

LBD11971-02-1