STATE OF NEW YORK

8450--B

IN SENATE

March 2, 2022

Introduced by Sen. COONEY -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to adding telephone numbers to a do-not-call list at the outset of certain telemarketing calls

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

Section 1. Subdivision 2 of section 399-z of the general business law, as amended by chapter 239 of the laws of 2017, is amended to read as follows:

2. No telemarketer or seller shall engage in telemarketing at any time other than between 8:00 A.M. and 9:00 P.M. at the location of the customer unless the customer has given his or her express consent to the call at a different time. Telemarketers shall provide, in a clear and coherent manner using words with common and everyday meanings, at the beginning of each telemarketing sales call all of the following information**, provided that the information set forth in paragraphs a and b of this subdivision shall be given to the customer first**:

a. the telemarketer's name and the person on whose behalf the solicitation is being made, if other than the telemarketer;

b. the [~~purpose of the telephone call~~] **option to be automatically added to the seller's entity specific do-not-call list, as required by subdivisions seven, eight, and nine of this section**;

c. [~~the identity of the goods or services for which a fee will be charged; and~~

~~d.~~] whether the call is being recorded**;**

d. the purpose of the telephone call; and

e. the identity of the goods or services for which a fee will be charged.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

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