

STATE OF NEW YORK

6756

2021-2022 Regular Sessions

IN ASSEMBLY

March 29, 2021

Introduced by M. of A. CUSICK -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to telemarketing calls made by real estate licensees during a state of emergency

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

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

4 5-a. It shall be unlawful for any telemarketer doing business in this
5 state to knowingly make an unsolicited telemarketing sales call to any
6 person in a county, city, town or village under a declared state of
7 emergency or disaster emergency as described in sections twenty-four or
8 twenty-eight of the executive law; provided, however, that a person
9 shall not be held liable for violating this subdivision if the person is
10 a licensed real estate broker, associate real estate broker or real
11 estate salesperson pursuant to section four hundred forty of the real
12 property law and is performing a licensed real estate activity.

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

16 f. knowingly make an unsolicited telemarketing sales call to any
17 person in a county, city, town or village under a declared state of
18 emergency or disaster emergency as described in sections twenty-four or
19 twenty-eight of the executive law; provided, however, that a person
20 shall not be held liable for violating this paragraph if the person is a
21 licensed real estate broker, associate real estate broker or real estate
22 salesperson pursuant to section four hundred forty of the real property
23 law and is performing a licensed real estate activity.

24 § 3. 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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