STATE OF NEW YORK

8246

2021-2022 Regular Sessions

IN ASSEMBLY

August 25, 2021

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

AN ACT to amend the general business law, in relation to exempting realtors from the prohibition against placing unsolicited telemarketing sales calls during a state of emergency or disaster emergency

The People of the State of New York, represented in Senate and Assembly, 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 twenty-four or twenty-eight of the executive law. **This subdivision shall not apply to a real estate broker, associate real estate broker, real estate salesman, real estate saleswoman or office manager, as defined in section four hundred forty of the real property law, unless the declared state of emergency expressly prohibits such telemarketing sales calls.**

§ 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 twenty-four or twenty-eight of the executive law. **This subdivision shall not apply to a real estate broker, associate real estate broker, real estate salesman, real estate saleswoman or office manager, as defined in section four hundred forty of the real property law, unless the declared state of emergency expressly prohibits such telemarketing sales calls.**

§ 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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