

STATE OF NEW YORK

8319--A

2021-2022 Regular Sessions

IN ASSEMBLY

October 20, 2021

Introduced by M. of A. PAULIN, ROZIC, BURGOS, DINOWITZ, BURDICK, BUTTENSCHON, DICKENS, ENGLEBRIGHT, FRONTUS, GOTTFRIED, GONZALEZ-ROJAS, HEVESI, McMAHON, SEAWRIGHT, STERN, STIRPE, MIKULIN, McDONOUGH, BRABEC, BROWN, J. A. GIGLIO, MANKTELOW, SALKA, TANNOUSIS, LEMONDES, DARLING -- read once and referred to the Committee on Consumer Affairs and Protection -- recommitted to the Committee on Consumer Affairs and Protection in accordance with Assembly Rule 3, sec. 2 -- 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, in the following order:

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~~

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

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1 ~~d.~~] whether the call is being recorded;
2 d. the purpose of the telephone call; and
3 e. the identity of the goods or services for which a fee will be
4 charged.
5 § 2. This act shall take effect immediately.