STATE OF NEW YORK

6967

2021-2022 Regular Sessions

IN SENATE

May 20, 2021

Introduced by Sen. GAUGHRAN -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to telemarketing calls during a state of 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~~] **section** twenty-four or twenty-eight of the executive law**; provided, however, that the telemarketing restrictions pursuant to this section shall not apply to any business or professional service that has been deemed essential by an executive order**.

§ 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~~] **section** twenty-four or twenty-eight of the executive law**; provided, however, that the telemarketing restrictions pursuant to this section shall not apply to any business or professional service that has been deemed essential by an executive order**.

§ 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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