

# 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:

- 1 Section 1. Subdivision 2 of section 399-z of the general business law,  
2 as amended by chapter 239 of the laws of 2017, is amended to read as  
3 follows:
- 4 2. No telemarketer or seller shall engage in telemarketing at any time  
5 other than between 8:00 A.M. and 9:00 P.M. at the location of the  
6 customer unless the customer has given his or her express consent to the  
7 call at a different time. Telemarketers shall provide, in a clear and  
8 coherent manner using words with common and everyday meanings, at the  
9 beginning of each telemarketing sales call all of the following information,  
10 provided that the information set forth in paragraphs a and b of  
11 this subdivision shall be given to the customer first:
- 12 a. the telemarketer's name and the person on whose behalf the solic-  
13 itation is being made, if other than the telemarketer;
- 14 b. the [~~purpose of the telephone call~~] option to be automatically  
15 added to the seller's entity specific do-not-call list, as required by  
16 subdivisions seven, eight, and nine of this section;
- 17 c. [~~the identity of the goods or services for which a fee will be~~  
18 ~~charged, and~~  
19 ~~d.~~] whether the call is being recorded;
- 20 d. the purpose of the telephone call; and
- 21 e. the identity of the goods or services for which a fee will be  
22 charged.
- 23 § 2. This act shall take effect on the ninetieth day after it shall  
24 have become a law.

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

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