STATE OF NEW YORK

8453

2023-2024 Regular Sessions

IN ASSEMBLY

December 29, 2023

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

AN ACT to amend the general business law, in relation to cancellation of continuous services

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

Section 1. Subdivision 2 of section 527-a of the general business law, as added by chapter 267 of the laws of 2020, is amended to read as follows:

2. A business that makes an automatic renewal offer or continuous service offer shall provide a toll-free telephone number, electronic mail address, a postal address only when the seller directly bills the consumer, [~~or another~~] **a link on any public website it maintains, and any other** cost-effective, timely, and easy-to-use [~~mechanism~~] **mechanisms** for cancellation that shall be described in the acknowledgment specified in paragraph c of subdivision one of this section.

§ 2. Paragraph a of subdivision 3 of section 527-a of the general business law, as amended by chapter 728 of the laws of 2023, is amended to read as follows:

a. In addition to the requirements of subdivision two of this section, a consumer who accepts an automatic renewal or continuous service offer [~~online~~] shall be allowed to terminate the automatic renewal or continuous service exclusively online, which may include a termination email formatted and provided by the business that a consumer can send to the business without additional information. **If the consumer must return property or equipment to the business, the cancellation may be made conditional on the return of such property or equipment and the business shall immediately give, mail or email written instructions to the consumer on where and how to return such property or equipment without need for any additional appointments or other requirements. If the business must remove its property or equipment from the consumer's home or**

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

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other location, the cancellation shall take effect immediately and the business shall retrieve such property or equipment at its convenience within thirty days of the cancellation by the consumer. Once such property or equipment, if any, is returned to the business, the business shall immediately issue a receipt to the consumer for the return of such property or equipment.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law.