STATE OF NEW YORK

682--A

Cal. No. 359

2023-2024 Regular Sessions

IN SENATE

January 6, 2023

Introduced by Sens. COMRIE, BROUK, CHU, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- recommitted to the Committee on Consumer Protection in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the general business law, in relation to methods for cancelling contracts

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

Section 1. The general business law is amended by adding a new section 391-w to read as follows:

§ 391-w. Method for contract cancellation. 1. Unless otherwise authorized by law, rule, or regulation, any business that contracts with a consumer shall allow such consumer to cancel such contract using the same method that the business and consumer used to enter such contract, including but not limited to, in writing or online. For the purposes of this section, "consumer" shall mean a natural person residing in this state that enters into a contract for personal, family or household purposes.

2. The following are exempt from the requirements of this section: (a) any service provided by a business or its affiliate where either the business or its affiliate is operating pursuant to a franchise granted pursuant to section two hundred nineteen of the public service law; and (b) any service provided by a business or its affiliate where either the business or its affiliate is regulated by the Federal Communications Commission.

§ 2. 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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