

STATE OF NEW YORK

8483

2025-2026 Regular Sessions

IN ASSEMBLY

May 16, 2025

Introduced by M. of A. O'PHARROW -- read once and referred to the
Committee on Veterans' Affairs

AN ACT to amend the general business law, in relation to fees for
services rendered in veterans' benefits matters

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

1 Section 1. Paragraph (a) of subdivision 1, paragraph (d) of subdivi-
2 sion 2, and subdivision 3 of section 349-f of the general business law,
3 as added by chapter 183 of the laws of 2019, are amended to read as
4 follows:

5 (a) The term "veterans' benefits matter" means the preparation, pres-
6 entation, or prosecution of any claim affecting any person who has filed
7 or expressed an intent to file a claim for any benefit, program,
8 service, commodity, function, or status, entitlement to which is deter-
9 mined under the laws and regulations administered by the United States
10 department of veterans affairs or the New York state [~~division~~] depart-
11 ment of veterans' [~~affairs~~] services pertaining to veterans, their
12 dependents, their survivors, and any other party eligible for such bene-
13 fits.

14 (d) No entity shall receive any fees for any services rendered before
15 the date on which [~~a notice of disagreement is filed with respect to the~~
16 ~~party's case~~] a claimant is provided notice of the agency of original
17 jurisdiction of the United States department of veterans affairs'
18 initial decision under section 5104 of title 38 of the United States
19 code with respect to the case. The limitation in the preceding sentence
20 of this paragraph shall not apply to fees charged, allowed, or paid for
21 services provided with respect to proceedings before a court.

22 3. (a) No entity shall advise or assist for compensation any party
23 with any veterans' benefits matter without clearly providing, at the
24 outset of this business relationship, the following disclosure, both
25 orally and in writing: "this business is not sponsored by, or affiliated

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

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1 with, the United States department of veterans affairs, the New York
2 state ~~[division]~~ department of veterans' ~~[affairs]~~ services, or any
3 ~~[other congressionally chartered]~~ veterans service organization. Other
4 organizations, including but not limited to the New York state ~~[divi-~~
5 ~~sion]~~ department of veterans' ~~[affairs]~~ services, your local county
6 veterans service agency, and ~~[other congressionally chartered]~~ veterans
7 service organizations, may be able to provide you with this service free
8 of charge. Products or services offered by this business are not neces-
9 sarily endorsed by any of these organizations. You may qualify for other
10 veterans' benefits beyond the benefits for which you are receiving
11 services here." The written disclosure must appear in at least twelve-
12 point font and must appear in a readily noticeable and identifiable
13 place in the entity's agreement with the party seeking services. The
14 party must verbally acknowledge understanding of the oral disclosure and
15 must provide ~~[his or her]~~ their signature to represent understanding of
16 these provisions on the document in which the written disclosure
17 appears. The entity offering services must retain a copy of the written
18 disclosure while providing veterans' benefits services for compensation
19 to the party and for at least one year after the date on which this
20 service relationship terminates.

21 (b) No entity shall advertise for-compensation services in veterans
22 benefits matters without including the following disclosure: "this busi-
23 ness is not sponsored by, or affiliated with, the United States depart-
24 ment of veterans affairs, the New York state ~~[division]~~ department of
25 veterans' ~~[affairs]~~ services, or any ~~[other congressionally chartered]~~
26 veterans service organization. Other organizations, including but not
27 limited to the New York state ~~[division]~~ department of veterans'
28 ~~[affairs]~~ services, your local county veterans service agency, and
29 ~~[other congressionally chartered]~~ veterans service organizations, may be
30 able to provide you with these services free of charge. Products or
31 services offered by this business are not necessarily endorsed by any of
32 these organizations. You may qualify for other veterans' benefits beyond
33 the services that this business offers." If the advertisement is print-
34 ed, including but not limited to advertisements visible to internet
35 users, the disclosure must appear in a readily visible place on the
36 advertisement. If the advertisement is verbal, the spoken statement of
37 the disclosure must be clear and intelligible.

38 § 2. Subdivision 1 of section 349-f of the general business law is
39 amended by adding a new paragraph (d) to read as follows:

40 (d) The term "veterans service organization" means any organization
41 recognized and approved by the United States secretary of veterans
42 affairs under 38 U.S.C. § 5902 and 38 C.F.R. § 14.628.

43 § 3. This act shall take effect immediately.