§ 213-b. Unlawful sale of dissertations, theses and term papers. 1. No person shall, for financial consideration, or the promise of financial consideration, prepare, offer to prepare, cause to be prepared, sell or offer for sale to any person any written material which the seller knows, is informed or has reason to believe is intended for submission as a dissertation, thesis, term paper, essay, report or other written assignment by a student in a university, college, academy, school or other educational institution to such institution or to a course, seminar or degree program held by such institution.

2. Nothing herein contained shall prevent such educational institution or any member of its faculty or staff, from offering courses, instruction, counseling or tutoring for research or writing as part of a curriculum or other program conducted by such educational institution. Nor shall this section prevent any educational institution or any member of its faculty or staff from authorizing students to use statistical, computer, or any other services which may be required or permitted by such educational institution in the preparation, research or writing of a dissertation, thesis, term paper, essay, report or other written assignment. Nor shall this section prevent tutorial assistance rendered by other persons which does not include the preparation, research or writing of a dissertation, thesis, term paper, essay, report or other written assignment intended for submission to such educational institution in fulfillment of the requirements for a degree, diploma, certificate or course of study. Nor shall any person be prevented by the provisions of this section from rendering services for a fee which shall be limited to the typing, transcription or reproduction of a manuscript.

3. Nothing contained within this section shall prevent any person from selling or offering for sale a publication or other written material which shall have been registered under the United States laws of copyright, provided, however, that the owner of such copyright shall have given his authorization or approval for such sale and provided further that such publication or other written material shall not be intended for submission as a dissertation, thesis, term paper, essay, report or other written assignment to such educational institution within the state of New York in fulfillment of the requirements for a

degree, diploma, certificate or course of study.

4. No person shall sell, assign or otherwise transfer for business or for any other purpose to any person any information and material of a personal or private nature acquired from a purchaser of a dissertation, thesis, term paper, essay, report or other written assignment without the prior consent of such purchaser. The term "information and material of a personal or private nature" as used in this subdivision shall include, but not be limited to the name of such purchaser, his address and telephone number, the name of such educational institution, the name or number of the course, the name of the faculty member or members for whom such written assignment has been prepared and any description of the research involved or the nature of such written assignment.

5. A violation of the provisions of this section shall constitute a class B misdemeanor.

6. The attorney general and district attorney of the county wherein a violation of this section occurs shall have concurrent authority to investigate and prosecute any violation of this section and any related violations discovered during the course of such investigation.

7. Whenever there shall be a violation of this section, an application also may be made by the attorney general in the name of the people of the state of New York to a court or justice having jurisdiction to issue an injunction, and upon notice to the defendant of not less than five days, to enjoin and restrain the continuance of such violation; and if it shall appear to the satisfaction of the court or justice that the defendant has, in fact, violated this section, an injunction may be issued by such court or justice, enjoining and restraining any further violation, without requiring proof that any person has, in fact, been injured or damaged thereby. In any such proceeding the court may make allowances to the attorney general as provided in section eighty-three hundred three, subdivision six of the civil practice law and rules. In connection with any such proposed application, the attorney general is authorized to take proof and make a determination of the relevant facts and to issue subpoenas in accordance with the civil practice law and

rules. Additionally, the attorney general may apply in any such proceeding for a monetary penalty of not more than one thousand dollars per violation.