

§ 602. Violations and penalties. 1. Except as otherwise provided by law, any person who violates the terms of section six hundred one of this article is guilty of a misdemeanor, and each such violation shall be deemed a separate offense. A violation by any person of section six hundred one-a of this article, if such violation constitutes the first such offense by such person, is punishable by a civil penalty not to exceed two hundred fifty dollars. The second offense and any offense committed thereafter is punishable by a civil penalty not to exceed five hundred dollars.

2. The attorney general or the district attorney of any county may bring an action in the name of the people of the state to restrain or prevent any violation of this article or any continuance of any such violation.

3. Any aggrieved person or entity served with more than fifty information subpoenas per month by a principal creditor or his or her agent shall also have a cause of action to challenge compliance with subdivision ten of section six hundred one of this article and/or the certification requirements of rule fifty-two hundred twenty-four of the civil practice law and rules. In such action, a successful plaintiff shall be awarded ten dollars for each information subpoena served upon such plaintiff where it is shown that the required certification for such information subpoena was not made pursuant to rule fifty-two hundred twenty-four of the civil practice law and rules, that the required record for such information subpoena was not maintained pursuant to subdivision ten of section six hundred one of this article, or that the specific grounds for the certification required to accompany such information subpoena pursuant to rule fifty-two hundred twenty-four of the civil practice law and rules were not reasonable. A successful plaintiff may also be awarded court costs and attorney fees.