§ 1405. False and misleading statements; penalties; private rights of persons. 1. Any solicitation made for the purpose of securing applications or deposits for contracts for the enrollment of a child residing in New York in a children's camp located without the state of New York shall be deemed to be advertising which if false shall be subject to the provisions of article twenty-two-A of the general business law; provided, however, that nothing contained in section three hundred fifty-e of such law shall prevent a party from seeking relief pursuant to this section.

2. Any person who has entered into a contract and enrolls a child in a children's camp located without the state of New York where a solicitation has been made by the use of a material false statement or in the failure to reveal material facts shall have the right to seek rescission of such contract and recover any moneys paid whether or not any performance has been rendered under any such contract; provided, however, that no action may be maintained if the attorney general has already commenced proceedings on behalf of such person for such relief.

3. Such relief shall be in addition to any other relief which may be sought by a party either in law or equity.