



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Governor Cuomo Signs Senator Fuschillo's Legislation Into Law to Better Protect Consumers

CHARLES J. FUSCHILLO JR. November 14, 2013

| ISSUE: **CONSUMER PROTECTION**

Senator Charles J. Fuschillo, Jr. (R-Merrick) announced that legislation he sponsored to help protect consumers from unsolicited mailings has been signed into law by Governor Andrew Cuomo.

The new law will require mail offers for the sale of monuments or memorials to be clearly marked "SOLICITATION" in large boldface type at the top of any mailing unless the solicitation has been requested by the recipient. Following the death of a family member, individuals often receive many unsolicited offers for sale of monuments and memorials, but in some cases these offers are designed to look like bills rather than advertisements. As a result, families can end up paying without realizing the mailing is an offer, not a contract.

Senator Fuschillo said, "When families lose a loved one, they often receive an enormous amount of information and solicitations. In some cases, these "offers" look like bills for services, rather than an unsolicited offer. Requiring offers for monuments and memorials to be clearly marked "solicitation" will help protect families from being taken advantage of during their time of grief."

This new law will allow families to distinguish unsolicited offers from information they have requested. Those who violate the law will be subject to civil penalties of up to \$500 for a first violation and up to \$1,000 for subsequent violations.

The new law takes effect on February 11, 2014.