The Honorable Andrea Stewart-Cousins  
Temporary President and Majority Leader  
New York State Senate  
Albany, NY 12247

Dear Senator Stewart-Cousins:

I am pleased to share the Annual Report of the Senate’s Standing Committee on Consumer Protection for the 2019 Legislative Session. As Chair, I am proud to continue to lead our efforts to address important matters under my committee’s jurisdiction.

This session, 212 bills were referred to the Committee for review. The Committee met seven times and reported 37 bills. Of those bills, 10 were signed into law. A list of all the bills that were reported from the committee is provided in this report.

In addition to its regular meetings, the Committee also held four hearings this past year. The topics of those hearings included student loan debt, protecting consumer data, and housing discrimination on Long Island.

I thank my colleagues who served on the Committee for their efforts and support of the work that was done in the committee this year, and I thank you for the continued support from the Majority Conference in the committee’s operations.

Sincerely,

[Signature]

Senator Kevin Thomas  
6th Senate District
2019 LEGISLATIVE SESSION REPORT

NEW YORK STATE SENATE
STANDING COMMITTEE ON CONSUMER PROTECTION

Senator Kevin Thomas, Chairperson

Committee Members

Senator Leroy Comrie
Senator Brian Kavanagh
Senator Zellnor Myrie
Senator Jessica Ramos

Senator Chris Jacobs
Senator James Tedisco

Committee Staff

Josie Huba, Committee Clerk
Jacqueline Donaldson, Finance Analyst for Committee
Jessica Persaud, Counsel to the Committee
COMMITTEE JURISDICTION AND OVERVIEW

The New York State Senate Standing Committee on Consumer Protection has legislative oversight responsibilities for issues arising under the General Business Law, including issues concerning unfair, deceptive and fraudulent businesses practices. A particular focus of the Committee is on electronic and online conduct affecting consumers, such as online marketing, disclosures, and data protection and on protecting student loan borrowers. The Committee emphases educating consumers and business about their rights and responsibilities.
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Sponsor</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>S1627-B</td>
<td>Skoufis</td>
<td>Enacts &quot;Harper's Law&quot; requiring tip restraint devices on certain furniture</td>
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<tr>
<td>S2455</td>
<td>Krueger</td>
<td>Relates to prohibiting consumer contract provisions waiving the consumer's right to make statements concerning goods or services</td>
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<tr>
<td>S2302</td>
<td>Kavanagh</td>
<td>Prohibits a consumer reporting agency or lender from using certain information to determine an individual's credit worthiness</td>
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<tr>
<td>S3582</td>
<td>Comrie</td>
<td>Relates to requiring a consumer credit reporting agency to offer identity theft prevention and mitigation services in the case of a breach of the security of such agency's system</td>
</tr>
<tr>
<td>S3788-A</td>
<td>Carlucci</td>
<td>Relates to prohibiting the sale of crib bumper pads and the restriction of the use of such pads in certain settings</td>
</tr>
<tr>
<td>S4019</td>
<td>Thomas</td>
<td>Relates to early termination of motor vehicle lease contracts</td>
</tr>
<tr>
<td>S4020-A</td>
<td>Thomas</td>
<td>Prohibits telemarketers from knowingly placing unsolicited telemarketing sales calls during a state of emergency or disaster emergency</td>
</tr>
<tr>
<td>S4777</td>
<td>Kaminsky</td>
<td>Enacts the nuisance call act</td>
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<tr>
<td>S4807</td>
<td>Carlucci</td>
<td>Enacts the pension poaching prevention act</td>
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<tr>
<td>S5575-B</td>
<td>Thomas</td>
<td>Relates to a notification of a security breach</td>
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<tr>
<td>Bill</td>
<td>Sponsor</td>
<td>Description</td>
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<tr>
<td>S35</td>
<td>Hoylman</td>
<td>Clarifies the definition of imitation weapon</td>
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<tr>
<td>S1475</td>
<td>Hoylman</td>
<td>Prohibits certain practices by businesses making an automatic renewal or continuous service offer to consumers in the state</td>
</tr>
<tr>
<td>S1631-A</td>
<td>Skoufis</td>
<td>The Anthony Amoros Law; relates to disclosure of airbag defects for certain vehicles</td>
</tr>
<tr>
<td>S1645-B</td>
<td>Brooks</td>
<td>Requires a homeowner be provided a cost estimate for installation of a fire sprinkler system</td>
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<tr>
<td>S2829-B</td>
<td>Thomas</td>
<td>Requires debt collectors to send consumers a written notice of their rights under state law along with their debt collection correspondence</td>
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<tr>
<td>S2834</td>
<td>Savino</td>
<td>Relates to licensing laser hair removal technicians</td>
</tr>
<tr>
<td>S4403-A</td>
<td>Savino</td>
<td>Relates to fire suppression systems and licensing professionals to perform authorized work on fire suppression systems</td>
</tr>
<tr>
<td>S4427-A</td>
<td>Thomas</td>
<td>Relates to warranties and protections for purchasers of new and used motor vehicles</td>
</tr>
<tr>
<td>S4977</td>
<td>Skoufis</td>
<td>Relates to process server records</td>
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<tr>
<td>S1769</td>
<td>Sepulveda</td>
<td>Relates to mercantile establishments and the defense of lawful detention</td>
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<tr>
<td>Bill Number</td>
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<tr>
<td>S1835</td>
<td>Gianaris</td>
<td>Creates a private right of action for improper debt collection procedures</td>
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<tr>
<td>S1843</td>
<td>Hoylman</td>
<td>Prohibits rental vehicle companies from imposing any fees, charges or penalties, other than the actual cost of a toll, on an authorized driver for such driver's use of a rental vehicle</td>
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<tr>
<td>S1958</td>
<td>Thomas</td>
<td>Requires the licensure of student loan servicers (BUDGET)</td>
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<tr>
<td>S2121</td>
<td>Sanders</td>
<td>Prohibits persons or business entities from filing unnecessary personal identifying information with an agency</td>
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<tr>
<td>S2407-B</td>
<td>Comrie</td>
<td>Relates to standing for persons affected by prohibited or unlawful business practices</td>
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<tr>
<td>S2898</td>
<td>Thomas</td>
<td>Relates to adverse information in credit reports of certain furloughed federal government employees</td>
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<tr>
<td>S2426-A</td>
<td>Kaplan</td>
<td>Relates to student debt consultants</td>
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<tr>
<td>S2679</td>
<td>Mayer</td>
<td>Prohibits businesses from charging a price for goods on the basis of gender</td>
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<tr>
<td>S2884-D</td>
<td>Sanders</td>
<td>Prohibits the disclosure or use of consumer credit history in hiring, employment and licensing determinations</td>
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<tr>
<td>S3231</td>
<td>Savino</td>
<td>Requires all massage therapy businesses to be licensed by the department of state</td>
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<tr>
<td>S3406</td>
<td>Kaplan</td>
<td>Prohibits advertisements for electronic cigarettes, liquid nicotine and hookah tobacco within five hundred feet of a school or park</td>
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<tr>
<td>S3823</td>
<td>Savino</td>
<td>Directs the department of state to study, evaluate and make recommendations concerning safety standards at baseball stadiums</td>
</tr>
<tr>
<td>S4394</td>
<td>Biaggi</td>
<td>Requires debt collectors to inform debtors that written communications are available in large print format</td>
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<tr>
<td>S4555</td>
<td>Kaplan</td>
<td>Relates to consumer litigation funding</td>
</tr>
<tr>
<td>S5598-A</td>
<td>Thomas</td>
<td>Relates to unfair practices of proprietary institutions of higher education</td>
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<tr>
<td>S5056</td>
<td>Thomas</td>
<td>Relates to restricting advertisement and promotion of electronic cigarettes</td>
</tr>
<tr>
<td>S5171</td>
<td>Kennedy</td>
<td>Enhances protections for homeowners who have paid contractors, subcontractors, and material suppliers for home improvements</td>
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JOINT PUBLIC HEARING ON STUDENT LOAN DEBT

Committees: Consumer Protection & Banks

Purpose: To review the findings of the United State Department of Education Inspector General report on the oversight of student loan servicers, and to consider efforts the State of New York might take to protect student loan borrowers.

Witness List

David R. Jones, President and CEO, Community Service Society
Adam Boornazian, Financial Coach, Financial Coaching Corps
Yan Cao, Fellow, The Century Foundation
Taela Dudley, Policy Associate, The Century Foundation
Austin Ostro, Vice President, Student Assembly of the State University of New York
Kirsten Keefe, Senior Attorney, Empire Justice Center
Charles Bell, Programs Director, Consumer Reports
Ramond Curtis, State Policy Manager, Veterans Education Success
Cyrille Njikeng, Executive Director, University Student Senate, The City University of New York
JOINT PUBLIC HEARING: TO CONDUCT DISCUSSION ON ONLINE PRIVACY AND WHAT ROLE THE STATE LEGISLATURE SHOULD PLAY IN OVERSEEING IT

Committees: Consumer Protection & Internet and Technology

Purpose: To investigate concerns and challenges faced by consumers online, especially when it comes to safeguarding their personal information on various platforms.

Witness List

Zachary Hecht, Policy Director, Tech:NYC
John Olsen, Director, Government Affairs, Internet Association
Christina Fisher, Executive Director for the Northeast, TechNet
Ted Potrikus, President & CEO, Retail Council of New York State
Ari Ezra Waldman, Professor of Law, New York Law School
Lindsey Barrett, Staff Attorney & Teaching Fellow at Institute for Public Representation, Georgetown University Law Center
Joseph Jerome, Policy Counsel, Center for Democracy and Technology
Mary Stone Ross, Co-author of California Consumer Privacy Act, MSR Strategies
Allie Bohm, Policy Counsel, New York Civil Liberties Union
Charles Bell, Programs Director, Consumer Reports
Kate Powers, Director of Legislative Affairs, NYS Attorney General's Office
James Loperfido, Vice President of BD, North America, Sormitsu Co., Ltd.
Marta Belcher, Attorney, Ropes & Gray, LLP
John T. Evers, Ph.d, Director of Government Affairs, The Business Council of NYS, Inc.
Andrew Kingman, Senior Managing Attorney, DLA Piper, LLP
JOINT PUBLIC HEARING ON PROTECTING CONSUMER DATA & PRIVACY ON ONLINE PLATFORMS

Committees: Consumer Protection & Internet and Technology

Purpose: To investigate concerns and challenges faced by consumers online, especially when it comes to safeguarding their personal information on various platforms.

Witness List

Panel 1  Kathryn S. Wylde, President & CEO, Partnership for New York City
Panel 2  John Evers, Director Government Affairs, The Business Council of NYS
Panel 3  Sharon Seidl, Senior User Experience Designer, Consumer Reports
Justin Brookman, Director, Consumer Privacy and Technology, Consumer Reports
Panel 4  John Olsen, Director, Government Affairs - Internet Association
Christina Fisher, Executive Director for the Northeast, TechNet
Zachary Hecht, Policy Director, Tech:NYC
Panel 5  City of New York
Sam Solomon, Counsel to the Chief Privacy Officer
Michael Pastor, General Counsel
John Paul Farmer, Chief Technology Officer
Panel 6  Hon. Michael Balboni, President & Managing Director, Redland Strategies
Panel 7  David Carroll, Associate Professor of Media Design, Parsons School of Design at the New School
Brittany Kaiser, Co-Founder and Director, Digital Asset Trade Association (DATA)
Panel 8  Jim Halpert, Co-Chair of DLA’s Data Privacy & Global Cybersecurity Practice Group, On behalf of the State Privacy & Security Coalition
Panel 9  Allie Bohm, Policy Counsel, New York Civil Liberties Union
Panel 10 Dr. Siwei Lyu, Associate Professor Computer Science, University at Albany, State University of New York
Panel 11 Theodore Claypoole, Partner, Womble Bond Dickinson
Tiffany Johnson, Senior Director, Data Analytics and Technology, Wunderman Thompson
Panel 12 Scott Cowperthwait, Charter Communications, Vice President, Law-Privacy & Cyber Security
JOINT PUBLIC HEARING ON LONG ISLAND HOUSING DISCRIMINATION

Committees: Consumer Protection; Housing, Construction and Community Development; and Investigations and Government Operations

Purpose: To examine and identify whether and how potential homebuyers of color suffer illegal and unequal treatment by real estate agents on Long Island.

Witness List

Panel 1  Arthur Browne, Project Director, Newsday

Panel 2  Steve Bellone, County Executive, Suffolk County
         Laura Curran, County Executive, Nassau County

Panel 3  Fred Freiberg, Co-Founder, Fair Housing Justice Center
         Elaine Gross, President, Erase Racism

Panel 4  M. Ryan Gorman, President & CEO, Realogy Holding Corp

Panel 5  Richard Helling, Newsday – Tester
         Johnnie Mae Alston, Newsday – Tester
         Lenora Smith, Newsday - Tester

Panel 6  John Viteritti, Certified Instructor, New York State Department of State
         Theresa Sanders, President, Urban League Long Island
         Lorraine Y. Collins, Director of Public Policy and External Affairs, Enterprise Community Partners, Inc.

Panel 7  Moses Seuram, President, New York State Association of Realtors
         Duncan MacKenzie, Director of Government Affairs, New York State Association of Realtors