



New York State Senate Standing Committee on **Consumer Protection** **Senator Kevin Thomas**

Chair



Senator Andrea Stewart-Cousins
President Pro Tempore
NYS Senate Majority Leader

CHAIRMAN
CONSUMER PROTECTION

COMMITTEES

BANKS
FINANCE
HEALTH
INTERNET AND TECHNOLOGY
JUDICIARY
LOCAL GOVERNMENT

NEW YORK
STATE
SENATE



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SENATOR, 6TH DISTRICT

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December 31, 2022

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 2022 Legislative Session. As Chairman, I am proud to continue to lead our efforts to address important matters under my committee's jurisdiction.

This session, 233 bills were referred to the Committee for review. The Committee met four times and reported 28 bills. Of those bills, 6 were signed into law. A list of all the bills that were reported from the committee is provided in this report.

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,

A handwritten signature in black ink, appearing to be 'K. Thomas', written over a horizontal line.

Senator Kevin Thomas
6th Senate District

2022 LEGISLATIVE SESSION REPORT
NEW YORK STATE SENATE
STANDING COMMITTEE ON CONSUMER PROTECTION

Senator Kevin Thomas, Chairperson

Committee Members

Majority

Senator Cordell Cleare
Senator Andrew Gounardes
Senator Brian Kavanagh
Senator Zellnor Myrie
Senator Elijah Reichlin-Melnick

Minority

Senator Mario Mattera
Senator James Tedisco

Committee Staff

Josie Huba - Committee Clerk/Executive Assistant
Jaimie Sheehan – Counsel/Legislative Director
Jacqueline Donaldson - Finance Analyst for Committee
Martin Ascher - 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 emphasizes educating consumers and businesses about their rights and responsibilities.

COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2022:

- **S4954B (Myrie)** Relates to fraud in connection with an abnormal disruption of the market
- **S5924A (Thomas)** Relates to prohibited practices relating to student educational debt
- **S6701A (Thomas)** Relates to enacting the NY Privacy Act

SUMMARY OF COMMITTEE MEETINGS

January 12		
S51	Kaplan	Includes attachment to electronic devices within the meaning of the term “imitation weapon”
S244	Mayer	Relates to human trafficking awareness and training for certain lodging facility employees
S687	Hoyleman	Clarifies the definition of imitation weapon
S933A	Gianaris	Relates to actions or practices that establish or maintain a monopoly, monopsony or restraint of trade, and authorizes a class action lawsuit in the state anti-trust law
S5924A	Thomas	Relates to prohibited practices relating to student educational debt

February 8		
S778A	Thomas	Relates to research and misrepresentation of and restricting advertisement and promotion of electronic cigarettes
S1554C	Kavanagh	Relates to third party food delivery service charges
S1735	Skoufis	Relates to process server records
S3081	Salazar	Relates to price gouging of medicine
S3958	Reichlin-Melnick	Relates to a cap on the amount that a rental vehicle company may charge a renter for refueling a rental vehicle
S6701A	Thomas	Relates to enacting the NY Privacy Act

March 2		
S16D	Mayer	Relates to establishing restrictions on the sale of over-the-counter diet pills and dietary supplements for weight loss or muscle building
S192	Thomas	Relates to warranties and protections for purchasers of new and used motor vehicles

S4839B	Biaggi	Prohibits the manufacture or sale of cosmetics tested on animals
S4954B	Myrie	Relates to fraud in connection with an abnormal disruption of the market
S5136B	Thomas	Relates to protections for private education loan borrowers and cosigners

May 3		
S111	Thomas	Relates to prohibiting the sale of infant walkers and restricting the use of such infant walkers in certain settings
S272	Myrie	Requires retailers to post warning signs of the tracking of customers through cell phones or other electronic devices
S1962A	Brooks	Relates to children's non-regulated camps
S2632	Sanders	Relates to prohibiting the inclusion of a confession of judgment in a contract or agreement for a financial product or service
S5190	Sanders	Relates to prohibiting retail establishments from refusing to accept payment in cash
S5262	Brooks	Requires certain health clubs to have at least one automated external defibrillator on the premises which is accessible to the staff, members and guests
S6761A	Savino	Relates to fire suppression systems and licensing professionals to perform authorized work on fire suppression systems
S8099	Cleare	Authorizes the attorney general to bring an action for violation of the prohibitions concerning unlawful selling practices and spec
S8380	Thomas	Relates to prohibiting the unauthorized installation of certain security devices on residential buildings
S8391	Thomas	Relates to high-volume third-party sellers in the online marketplace

S8623	Cleare	Relates to the prohibition of the sale of infant inclined sleepers and the restriction of the use of such inclined sleepers in ce
S8654	Savino	Relates to the secure choice savings program and participating individuals

TWO HOUSE BILLS

In 2022, 15 of the 233 bills referred to the Standing Committee on Consumer Protection passed both houses of the Legislature. Of these bills, the Governor has signed 6 and vetoed 1. Eight bills are awaiting Executive action.

Bill No.	Sponsor	Title	Action
S16D	Mayer	Relates to establishing restrictions on the sale of over-the-counter diet pills and dietary supplements for weight loss or muscle building	On the Governor's Desk
S145B	Thomas	Relates to providing a notice of potential scams when selling gift cards	On the Governor's Desk
S244B	Mayer	Relates to human trafficking awareness and training for certain lodging facility employees	Chapter 393 of 2022
S300A	Thomas	Relates to the sale of new motor vehicle child restraint systems	Vetoed
S687	Hoylman	Clarifies the definition of imitation weapon	Chapter 501 of 2022
S1735A	Skoufis	Relates to process server records	Chapter 189 of 2022
S3081B	Salazar	Relates to price gouging of medicine	On the Governor's Desk
S4104A	Breslin	Enacts the digital fair repair act	On the Governor's Desk
S4839B	Biaggi	Prohibits the manufacture or sale of cosmetics tested on animals	On the Governor's Desk

S4954C	Myrie	Relates to fraud in connection with an abnormal disruption of the market	On the Governor's Desk
S5262	Brooks	Requires certain health clubs to have at least one automated external defibrillator on the premises which is accessible to the staff, members and guests	Chapter 643 of 2022
S5924C	Thomas	Relates to prohibited practices relating to student educational debt	Chapter 180 of 2022
S7863A	Cleare	Places restrictions on the sale of electric space heaters	Chapter 664 of 2022
S8099	Cleare	Authorizes the attorney general to bring an action for violation of the prohibitions concerning unlawful selling practices and specifies damages awardable	On the Governor's Desk
S8654A	Savino	Relates to the secure choice savings program and participating individuals	On the Governor's Desk

LEGISLATION PASSED BY THE SENATE

In 2022, ten of the 233 bills referred to the Standing Committee on Consumer Protection passed only in the Senate.

Bill No.	Sponsor	Title
S51	Kaplan	Includes attachments to electronic devices within the meaning of the term “imitation weapon”
S192	Thomas	Relates to warranties and protections for purchasers of new and used motor vehicles
S778A	Thomas	Relates to research and misrepresentation of and restricting advertisement and promotion of electronic cigarettes
S933C	Gianaris	Relates to actions or practices that establish or maintain a monopoly, monopsony or restraint of trade, and authorizes a class action lawsuit in the state anti-trust law
S1962	Brooks	Relates to children's non-regulated camps
S3985	Reichlin-Melnick	Relates to a cap on the amount that a rental vehicle company may charge a renter for refueling a rental vehicle
S5136	Thomas	Relates to protections for private education loan borrowers and cosigners
S6761B	Savino	Relates to fire suppression systems and licensing professionals to perform authorized work on fire suppression systems
S8391	Thomas	Relates to high-volume third-party sellers in the online marketplace
S8523A	Savino	Relates to permitting employees of public utilities access to certain restroom facilities without being a paying customer



Annual Report 2022

New York State Senate
Standing Committee on Consumer Protection