



NEW YORK STATE SENATE DEMOCRATIC MAJORITY

For Immediate Release: May 25, 2022

Contact: Jonathan Heppner | heppner@nysenate.gov | 518-455-2415

Senate Majority Passes Fair Marketplace Practices Legislation

(Albany, NY) The Senate Democratic Majority advanced legislation today to address inflation, price gouging, and unfair competition in the marketplace. These bills would specify that any actions to create a monopoly or monopsony are illegal and void and allow damages to be recovered in a class action antitrust lawsuit. It would also increase penalties for fraud in connection to an abnormal disruption in the market and ensure that high-volume third-party sellers provide information to guard against counterfeit, fraudulent, or stolen goods being sold to unsuspecting consumers online. This legislation builds on the Senate Majority's commitment to a free and fair economy and helps bolster consumer protections.

Senate Majority Leader Andrea Stewart-Cousins said, "New York has always prided itself on building a robust economy where everyone can participate and prosper. To achieve this, we must maintain careful regulations and strict oversights that prevent bad actors from spoiling our free market. This legislation addresses new barriers in the digital age, strengthens necessary penalties, and fine-tunes our legal accountability measures so that no harm goes unpunished. This package will allow us to protect the best interests of New York consumers and better uphold the integrity of our marketplace. I thank the Chair of the Committee on Consumer Protection, Senator Kevin Thomas, and the bill sponsors for their attention to this matter."

Chair of the Committee on Consumer Protection, Senator Kevin Thomas, said, "Unfair, deceptive, and fraudulent business practices have no place here in New York State. This package of legislation will protect consumers by ensuring that financial laws are enforced consistently, keeping our markets fair, transparent, and competitive. I thank Majority Leader Andrea Stewart-Cousins and the Senate Majority for standing up for the rights of New York's 19.5 million consumers."

The legislation passed by the Senate Majority includes:

- **The Twenty-First Century Anti-Trust Act:** This bill, S933C, sponsored by Senator Michael Gianaris, prohibits business actions or practices that establish or maintain a monopoly, monopsony or restraint of trade, requires pre-merger notifications to the Attorney General for businesses and authorizes class action lawsuits in the state antitrust law.

- **Penalties for Disruption-Related Fraud:** This bill, S4954C, sponsored by Senator Zellnor Myrie, increases penalties for fraud which occurs in connection with an abnormal disruption of the market.
- **Creating transparency and reporting requirements for high volume third party online sellers:** This bill, S8391, sponsored by Senator Kevin Thomas, requires certain high-volume third-party sellers in the online marketplace to provide certain information to the online marketplace, and requires verification of such information and technical safeguards for data use.

Bill sponsor Deputy Majority Leader Senator Michael Gianaris said, “Our antitrust laws were written a century ago for a radically different economy and they are in desperate need of reform. Corporate power has reached unprecedented and dangerous levels, and we need powerful new laws to protect the public and our economy. I am pleased the Senate is taking this historic step and I look forward to this landmark legislation passing the Assembly and becoming law.”

Bill sponsor Senator Zellnor Myrie said, “New Yorkers have suffered enough during this pandemic and should not be victims to corporations seeking to make a profit off of our pain. Whether it's at the gas pump, in our supermarkets, or in our healthcare system, no New Yorker should be taken advantage of during these challenging times and I am proud to see the passage of the Covid Fraud Accountability Act which will deter these bad actors and ensure that consumers are protected.”

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New York State Senate | senatedemocraticmajority@nysenate.gov | 518-455-2415