

## Message from the Chair

Dear Friend,

I am happy to share with you news from the 2014 legislative session on behalf of the Assembly Committee on Consumer Affairs and Protection. This newsletter contains a legislative summary highlighting some of the bills the Committee took up during the year, helpful contact information for relevant state and federal agencies, as well as some important summer safety tips to keep you safe during the summer months.

As the legislative session concluded in Albany, the Committee's work was focused on a variety of important topics; all the legislation you will read about that has been passed by both houses of the Legislature will soon be sent to Governor for his consideration. Some of the items we took up dealt with ensuring that children in New York have the same protections available to adults to help prevent identity theft, ensuring that sunscreen products sold in New York are labeled with a "best if used before" date, and requiring foods sold in New York that contain genetically modified organisms to be labeled accordingly.

The Committee's focus will now shift to holding public hearings and researching the issues that are facing consumers in New York. I hope you find the information included in this newsletter to be interesting and that you can use the safety tips to have a safe and fun-filled summer. I look forward to sharing with you what we accomplish in the coming months as we look to further protect our consumers and make New York a safer place.



Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey Dinowitz". The signature is fluid and cursive.

Jeffrey Dinowitz

Chair, Committee on Consumer Affairs and Protection

## Important Contacts

### NYS Department of State Division of Consumer Protection

One Commerce Plaza  
99 Washington Ave.  
Albany, New York 12231  
1-800-697-1220

[www.dos.ny.gov/consumerprotection](http://www.dos.ny.gov/consumerprotection)

*The Division of Consumer Protection provides direct assistance and intervention to resolve marketplace complaints, mitigate the consequences of identity theft and frauds, and advocate for greater consumer rights and remedies under New York State law.*

### NYS Attorney General

The Capitol  
Albany, New York 12224  
1-800-771-7755

[www.ag.ny.gov](http://www.ag.ny.gov)

*The Attorney General offers a mediation service if it is believed it might assist in resolving disputes, particularly for patterns of complaints involving the same company or for new and unique issues. Otherwise, the Attorney General's office will direct consumers to the appropriate agency.*

### Federal Trade Commission

600 Pennsylvania Ave., NW  
Washington, DC 20580  
1-877-382-4357

[www.ftc.gov](http://www.ftc.gov)

*The Federal Trade Commission's Bureau of Consumer Protection is the nation's consumer protection agency that works to prevent fraud, deception, and unfair business practices in the marketplace by enforcing federal consumer protection laws.*

### Consumer Financial Protection Bureau

P.O. Box 4503  
Iowa City, Iowa 52244  
1-855-411-2372

[www.consumerfinance.gov](http://www.consumerfinance.gov)

*The Consumer Financial Protection Bureau is the newest federal consumer protection agency to improve the fairness of markets for consumer financial products and services, whether consumers are applying for a mortgage, choosing among credit cards, or using any number of other consumer financial products.*

## LEGISLATIVE SUMMARY

During the 2014 Legislative Session, the Committee advanced legislation addressing a wide variety of issues facing consumers, including the following:

### **A.2727-B (Weisenberg)**

This bill would help fight the most common form of cancer, skin cancer, by requiring sunscreen products to be labeled with an expiration date. These labels are especially important with children's sunscreen, as young people tend to be more severely burned and are in greater danger than adults.

(Passed Both Houses)

### **A.3525-E (Rosenthal)**

This bill, which was the focus of an earlier public hearing sponsored by the Committee, would require the labeling of genetically engineered foods and other consumable products made from genetically modified organisms.

(Reported to Assembly Ways and Means Committee)



*Chairman Jeffrey Dinowitz (second from left) speaks at a press conference on A.3525-E with the bill's prime sponsors, Assemblywoman Linda Rosenthal (center) and Senator Kenneth Lavelle (second from right) and advocates from around the state.*

### **A.3751-B (Crespo)**

This bill would add certain medicines to the list of goods and services that could be subject to price gouging, acting as a deterrent for any person or retailer from selling a drug that is subject to a shortage at an unconscionably excessive price.

(Passed Assembly)

### **A.6239-B (Dinowitz)**

This bill would create the State Office of the Utility Consumer Advocate to serve as an independent advocate and appear on behalf of consumers in proceedings concerning rates and conditions of public service utilities.

(Passed Assembly)

### **A.9742 (Moya)**

This bill would protect job applicants seeking employment by addressing several unscrupulous business practices of employment agencies, ending the charging of advance fees, and requiring written terms and conditions of employment.

(Passed Assembly)

### **A.9396-B (O'Donnell)**

This bill would protect performing artists, as well as others seeking employment, from unlicensed employment agents by prohibiting unlicensed agents from collecting fees.

(Passed Both Houses)

## LEGISLATIVE HIGHLIGHT

### IDENTITY THEFT PREVENTION UPDATE: PROTECTING OUR CHILDREN

Currently, New York State law only allows a parent to freeze a child's credit if a credit file already exists in the child's name. More often than not, a file only exists because the child has fallen victim to identity theft. To address this issue, the legislature passed A.8955-B (Dinowitz). This bill would create a mechanism whereby parents or guardians can freeze a credit record of a minor child in order to prevent their child from becoming a victim of identity theft or fraud.

This measure has become increasingly necessary as a 2011 report by ID Analytics, an identity theft protection firm, noted that an estimated 140,000 minors are at risk of falling victim to identity theft each year. This legislation would require credit reporting agencies to place a credit record freeze on a child's account at

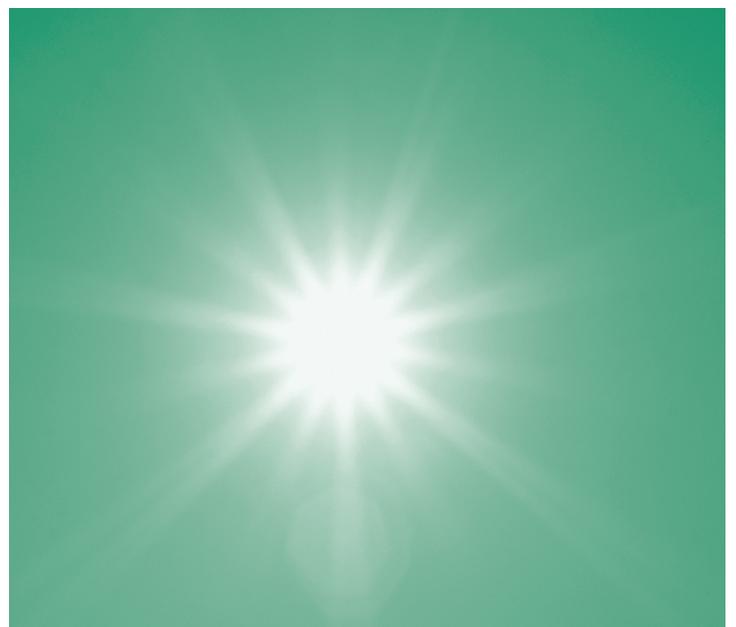
the request of a parent or guardian. Following the freeze, a consumer reporting agency would be prohibited from releasing the child's credit report or any information included in the report to any third party, with a few minor exceptions as required by law. The credit freeze could be removed at the request of the parent or guardian or by the child once he or she reaches 16 years of age.

This legislation, if signed, will align New York State law with that of several other states—including Maryland, Wisconsin, Delaware, Illinois, Michigan, Texas, and Oregon—that already have statutes requiring credit reporting agencies to allow parents or guardians to freeze their children's credit even when no file exists. Several other states have similar legislation pending.

*A.8955-B (Dinowitz) would create a mechanism by which a parent or guardian of a minor could place a freeze on the minor's credit in order to prevent their child from becoming a victim of identity theft or fraud.*

### Summer Safety Tips

Summer is here, which means it is time for some fun in the sun. Whether in the park, on the sports fields, camping, or at the beach, everybody likes to spend some quality time outdoors. The sun can lift your spirits and provide the body with vitamin D, but prolonged exposure can also have negative side effects. Fortunately, a few simple steps can keep you and your family safe. At least twenty minutes before heading outdoors, apply a broad spectrum, water-resistant sunscreen with an SPF of 30 or higher over all exposed parts of the body, and check to make sure the sunscreen you're using isn't expired. Experts recommend that you re-apply sunscreen every two hours and more frequently if you have been swimming or doing an activity that causes you to sweat. If possible, it is best to avoid the sun from 10 a.m. to 4 p.m., when its rays are strongest. Wear clothing that covers your body, including a wide-brimmed hat to protect your head and face, and sunglasses that protect against UV rays. By following these simple sun safety tips, you can spend time outdoors this summer knowing that you and your family are protected from the potentially harmful side effects of sun exposure.



*The sun can lift your spirits and provide the body with vitamin D, but prolonged exposure can also have negative side effects.*



## Pool Safety Tips



*Stay close, be alert, and watch children in and around open waters. Never leave children unattended and be sure you are not reading, texting, using a cellphone, or otherwise distracted if you are the designated water watcher.*

On hot summer days, a swim in a pool or other body of water is most refreshing. However, it is important to keep in mind simple pool safety tips that will ensure you and your family will remain safe while enjoying the cool water:

- Stay close, be alert, and watch children in and around open waters. Never leave children unattended and be sure you are not reading, texting, using a cellphone, or otherwise distracted if you are the designated water watcher.
- To avoid injuries, keep children away from pool drains, pipes, and other openings and be certain to have lifesaving equipment such as life rings, floats, or a reaching pole. Make sure these important items are available and easily accessible.
- Learn how to perform CPR on children and adults and update those skills regularly. Understand the basics of life-saving so that you can assist, if necessary, in a pool or open water emergency.

Visit [www.poolsafely.gov](http://www.poolsafely.gov) for additional tips relating to pool and spa safety.

2014 Legislative Update from the New York State Assembly

## Committee on Consumer Affairs and Protection

Sheldon Silver, Speaker • Jeffrey Dinowitz, Chair

To update or remove your name from the Committee mailing list, email [committeemailinglist@assembly.state.ny.us](mailto:committeemailinglist@assembly.state.ny.us). Please include the Committee name in the subject line. Please provide the name and address as it appears on the mailing label and any changes you would like made.

## Committee on Consumer Affairs and Protection

Assemblyman Jeffrey Dinowitz, Chair