

1 whether the same was made in or out of the State, or partly in and partly out of this
2 State, and whether made by the parties thereto by themselves or by or through their
3 agents, immediately or mediately; nor shall any party to any such contract, or any agent
4 of any such party, directly or remotely connected with any such contract in any way
5 whatever, have or maintain any action or cause of action on account of any money or
6 other thing of value paid or advanced or hypothecated by him or them in connection
7 with or on account of such contract and agency; nor shall the courts of this State have
8 any jurisdiction to entertain any suit or action brought upon a judgment based upon any
9 such contract. This section shall not be construed so as to apply to any person, firm or
10 corporation, or his or their agents, engaged in the business of manufacturing or
11 wholesale merchandising in the purchase and/or sale of the necessary commodities
12 required in the ordinary course of their business; nor shall this section be construed so
13 as to apply to any contract with respect to the purchase and/or sale for future delivery of
14 any of the articles or things mentioned and referred to in this section, where such
15 purchase and/or sale is made on any exchange on which any such article or things are
16 regularly bought and sold, or contracts therefor regularly entered into, and the rules and
17 regulations of such exchange are such that either party to such contract may require
18 delivery thereof: Provided, such contract is made in accordance with such rules and
19 regulations.

20 In addition, this Article shall not apply to any person, firm, corporation, or other
21 entity, either as principal or agent, or to any contract, that is excluded or exempted
22 under the Commodity Exchange Act, as provided in section 16(e)(2) of the Commodity
23 Exchange Act, 7 U.S.C. § 16(e)(2), and, accordingly, each section of this Article shall
24 be considered a "law that regulates or prohibits the operation of bucket shops" within
25 the meaning of section 16(e)(2) of the Commodity Exchange Act."

26 **SECTION 2.** This act becomes effective October 1, 2001.