

STATE OF NEW YORK

3928

2025-2026 Regular Sessions

IN ASSEMBLY

January 30, 2025

Introduced by M. of A. BORES -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to automatic renewals, continuous service offers, and automatic subscription renewals

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as the "click to
2 cancel act".

3 § 2. Paragraph c of subdivision 1 of section 527-a of the general
4 business law, as added by chapter 267 of the laws of 2020, is amended
5 to read as follows:

6 c. fail to provide an acknowledgment that includes the automatic
7 renewal or continuous service offer terms, cancellation policy, and
8 information regarding how to cancel in a clear and conspicuous manner
9 that is capable of being retained by the consumer. If the offer includes
10 a free gift or trial, the business shall provide such acknowledgement
11 before the consumer pays for the goods or services and also disclose in
12 the acknowledgment [~~how to cancel and allow the consumer to cancel~~
13 ~~before the consumer pays for the goods or services~~] the price that will
14 be charged after the free gift or trial period ends, and if the free
15 gift or trial period lasts for more than thirty-one days followed by an
16 upcoming automatic renewal or continuous service charge to such consum-
17 er's account, the business shall provide such acknowledgement at least
18 three days before, but not more than twenty-one days before, the cancel-
19 lation deadline for such automatic renewal or continuous service charge.
20 Such notice shall include instructions on how to cancel and allow the
21 consumer to cancel before the consumer pays for the automatic renewal or
22 continuous service charge.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[~~-~~] is old law to be omitted.

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§ 3. Paragraph b of subdivision 3 of section 527-a of the general business law, as added by chapter 728 of the laws of 2023, is amended to read as follows:

b. A business that allows a consumer to accept an automatic renewal or continuous service offer for an initial paid term of one year or longer~~[, provided that such automatic renewal or continuous service renews for a paid term of six months or longer,]~~ shall notify such consumer of ~~[such]~~ any upcoming automatic renewal or continuous service charge to such consumer's account at least fifteen days before, but not more than forty-five days before, the cancellation deadline for such automatic renewal or continuous service charge. Such notice shall include instructions on how to cancel such renewal or continuous service charge.

§ 4. Paragraph a of subdivision 3 of section 527-a of the general business law, as amended by chapter 728 of the laws of 2023, is amended and a new paragraph d is added to read as follows:

a. In addition to the requirements of subdivision two of this section, a consumer who accepts an automatic renewal or continuous service offer online shall be allowed to terminate the automatic renewal or continuous service exclusively online, which may include a termination email formatted and provided by the business that a consumer can send to the business without additional information. A consumer who accepts an automatic renewal or continuous service offer shall additionally be allowed to terminate the automatic renewal or continuous service offer in the same manner that the consumer accepted such automatic renewal or continuous service offer. If a phone number is provided for the purposes of cancellation of the subscription, such number shall be toll-free and shall be prominently displayed in the disclosure.

d. In addition to the requirements of subdivision two of this section, in the case of a change in the fee charged under an existing automatic renewal or continuous service offer that has been accepted by a consumer, the business shall provide, no less than seven days and no more than thirty days before the fee change takes effect, the consumer with both of the following: (i) a clear and conspicuous notice of the fee change; and (ii) information regarding how to cancel such automatic renewal or continuous service in a manner that is capable of being retained by the consumer.

§ 5. This act shall take effect immediately.