STATE OF NEW YORK

9097

IN SENATE

February 3, 2026

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Internet and Technology

AN ACT to amend the general business law, in relation to banned members of social referral services

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

Section 1. Paragraph (d) of subdivision 1 of section 394-c of the general business law, as amended by chapter 13 of the laws of 2025, is amended and two new paragraphs (h) and (i) are added to read as follows:

(d) "banned member" shall mean the member whose account or profile is the subject of a fraud ban **or content ban**.

(h) "content ban" shall mean when a member's account or profile is barred from an online dating service because, in the judgment of such online dating service, such member was found to have engaged in or is substantially likely to have engaged in conduct or share content that violates law, breaches such online dating service's terms or policies, or poses a significant risk of harm to users on such online dating service's platform.

(i) "contract and customer service records" shall include the contract between a user of a social referral service's platform and such social referral service, including any contract amendments or ancillary agreements, evidence of such user's acceptance of such contract's terms, such user's name and contact information, and any notices provided by either such party including, but not limited to, notices of cancellation, consent, or withdrawal of consent, customer service records, and/or purchase and billing records, except that such records shall exclude any sensitive payment information.

§ 2. Subdivision 6 of section 394-c of the general business law, as amended by chapter 13 of the laws of 2025, is amended to read as follows:

6. **(a)** Every contract for social referral service shall provide that at the expiration of the contract or at the expiration of services rendered by the seller, for any reason, all information and material of a personal or private nature acquired from a purchaser directly or indi-

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

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rectly including but not limited to answers to tests and questionnaires, photographs or background information shall be [~~promptly~~] returned by the seller to the purchaser by certified mail or destroyed and deleted from any electronic storage devices **within ninety days**, with certification of destruction or deletion promptly provided to the purchaser **upon request**, unless the retention of such information and material is required [~~(a)~~]**:**

(i) by federal, state, or local laws, rules or regulations [~~or (b)~~]**;**

(ii) to comply with a judicial court order**; or**

(iii) by such social referral service to maintain enforcement of a fraud ban or content ban.

(b) Information and material retained to effectuate and enforce a fraud ban or content ban pursuant to subparagraph (iii) of paragraph (a) of this subdivision shall not be used for any other purpose except for identifying the purchaser in order to effectuate and enforce such fraud ban or content ban. Such information and material retained for such purpose shall be limited to the information and material collected by the social referral service in order for the purchaser to create an account and profile. A social referral service may retain contract and customer service records for a period not to exceed six years, or for a period for which a purchaser may be authorized to bring action under section two hundred thirteen of the civil practice law and rules, whichever is longer.

§ 3. The opening paragraph of paragraph (a) of subdivision 10 of section 394-c of the general business law, as amended by chapter 13 of the laws of 2025, is amended to read as follows:

An online dating service shall disclose to all of its New York members known to have previously received and responded to an on-site message from a banned member **subject to a fraud ban**:

§ 4. This act shall take effect immediately.