

STATE OF NEW YORK

9934

IN SENATE

April 16, 2026

Introduced by Sen. GIANARIS -- 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 prohibiting the use of stealth crawlers

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

Section 1. The general business law is amended by adding a new article 48 to read as follows:

ARTICLE 48

NEW YORK STEALTH CRAWLER PROHIBITION ACT

Section 1750. Short title.

1751. Definitions.

1752. Stealth crawler prohibition.

1753. Enforcement.

1754. Severability.

§ 1750. Short title. This article shall be known and may be cited as the "New York stealth crawler prohibition act".

§ 1751. Definitions. As used in this article, the following terms shall have the following meanings:

1. "Crawler" means software that retrieves, scans, indexes, scrapes or otherwise accesses a website or other internet source, including but not limited to an online crawler, spider, fetcher, client, bot, user agent, AI agent or equivalent tool.

2. "Covered news site" means the website of any print or digital publication or service which:

(a) performs a public-information function comparable to that traditionally served by journalism organizations, such as newspapers, magazines and other periodical publications;

(b) makes a substantial expenditure of labor, skill, and money to create, edit, produce and distribute content including by engaging natural persons to create, edit, produce and distribute original text, audio, photo, illustrative or video content concerning matters or topics of interest or use to members of the public through activities such as

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

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1 observation, video recording events, interviews, research, testing and
2 analysis;

3 (c) publishes new content or updates its content on at least a monthly
4 basis and has a process for error correction and clarification; and

5 (d) has at least one thousand monthly active users or subscribers in
6 New York.

7 3. "Journalism provider" means any person that owns one or more
8 covered news sites.

9 4. "Person" means any individual, partnership, corporation, trust,
10 estate, co-operative, association, government or governmental subdivi-
11 sion, agency or other entity.

12 5. "Service provider" means an entity offering the transmission, rout-
13 ing or providing of connections for digital online communications,
14 between or among points specified by a user, of material of such user's
15 choosing, without modification to the content of the material as sent or
16 received, including an entity that provides internet access services.

17 6. "Stealth crawler" means a crawler that accesses a covered news site
18 without prior disclosure of its identity and purpose, in particular by
19 failing to:

20 (a) identify itself including via a valid and accurate user-agent
21 string, which shall state the identity of any software product making
22 the request, the version of such software product and the identity of
23 the company behind such software product; and

24 (b) disclose the specific nature and purpose of such crawler, which
25 shall include all uses and purposes that the content of the covered news
26 site could be used for, at the time access is requested and in a format
27 that the journalism provider can access.

28 § 1752. Stealth crawler prohibition. It shall be a violation of this
29 article for any person to deploy a stealth crawler in a manner that
30 would damage, impair or burden the operation of a covered news site or
31 otherwise cause a news site economic harm.

32 § 1753. Enforcement. 1. Any journalism provider whose covered news
33 site is accessed in violation of this article shall have a cause of
34 action as follows:

35 (a) to enjoin such violation or violations;

36 (b) to recover actual monetary loss from such violation or violations
37 or to receive ten thousand dollars in damages for each such violation,
38 whichever is greater; and

39 (c) upon any successful action under this section to recover their
40 attorneys' fees.

41 2. (a) Pursuant to subdivision (c) of section thirty-one hundred two
42 of the civil practice law and rules, a journalism provider may request
43 the clerk of the supreme court, or a judge where there is no clerk, to
44 issue a subpoena prior to the institution of an action, to a service
45 provider for identification of an alleged violator.

46 (b) The clerk, or the judge where there is no clerk, shall expe-
47 ditiously issue and sign the proposed subpoena and return it to the
48 journalism provider for delivery to the service provider.

49 (c) The subpoena shall authorize and order the service provider
50 receiving such subpoena to expeditiously disclose to the journalism
51 provider information sufficient to identify the alleged violator to the
52 extent such information is available to such service provider.

53 (d) A subpoena issued under this section shall include a provision
54 requiring the preservation of any relevant evidence in the possession of
55 the service provider.

1 § 1754. Severability. If any clause, sentence, paragraph, section or
2 part of this article shall be adjudged by any court of competent juris-
3 diction to be invalid and after exhaustion of all further judicial
4 review, the judgment shall not affect, impair or invalidate the remain-
5 der thereof, but shall be confined in its operation to the clause,
6 sentence, paragraph, section or part of this act directly involved in
7 the controversy in which the judgment shall have been rendered.

8 § 2. This act shall take effect on the ninetieth day after it shall
9 have become a law.