STATE OF NEW YORK

5703--B

2023-2024 Regular Sessions

IN SENATE

March 13, 2023

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- recommitted to the Committee on Consumer Protection in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to prohibiting the use of social media platforms for the purposes of collecting debts

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

Section 1. Section 601 of the general business law is amended by adding a new subdivision 12 to read as follows:

12. Use a social media platform as a means to collect on a consumer claim from a debtor. For purposes of this subdivision, "social media platform" means a public or semi-public internet-based service or application that has users in New York state that meets the following criteria:

(a) a substantial function of the service or application is to connect users in order to allow users to interact socially with each other within the service or application. A service or application that provides e-mail or direct messaging services shall not be considered to meet this criterion on the basis of that function alone; and

(b) the service or application allows individuals to: (i) construct a public or semi-public profile for purposes of signing up and using the service or application; (ii) create a list of other users with whom they share a connection within the system; and (iii) create or post content viewable or audible by other users, including, but not limited to, livestreams, on message boards, in chat rooms, or through a landing page or main feed that presents the user with content generated by other users.

§ 2. This act shall take effect immediately.

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

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