

STATE OF NEW YORK

1035--B

2023-2024 Regular Sessions

IN ASSEMBLY

January 13, 2023

Introduced by M. of A. BICHOTTE HERMELYN, DICKENS, TAYLOR, GIBBS, GONZALEZ-ROJAS, SIMON, LEE -- read once and referred to the Committee on Consumer Affairs and Protection -- recommitted to the Committee on Consumer Affairs and Protection in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

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:

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

3 12. Use a social media platform as a means to collect on a consumer
4 claim from a debtor. For purposes of this subdivision, "social media
5 platform" means a public or semi-public internet-based service or appli-
6 cation that has users in New York state that meets the following crite-
7 ria:

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

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

21 § 2. This act shall take effect immediately.

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

LBD01176-04-4