

STATE OF NEW YORK

6562

2025-2026 Regular Sessions

IN ASSEMBLY

March 6, 2025

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

AN ACT to amend the general business law, in relation to requiring
third-party accommodation reservation services identify themselves as
such to users and not levy certain cancellation fees

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

1 Section 1. The general business law is amended by adding a new section
2 391-x to read as follows:

3 § 391-x. Third-party accommodation reservation services. 1. Defi-
4 initions. For the purposes of this section, the following terms shall
5 have the following meanings:

6 (a) "Place of public accommodation" shall mean any inn, hotel, motel,
7 motor court or other establishment that provides lodging to transient
8 guests. Such term shall not include an establishment treated as an
9 apartment building for purposes of any state or local law or regulation
10 or an establishment located within a building that contains not more
11 than five rooms for rent or hire and that is actually occupied as a
12 residence by the proprietor of such establishment.

13 (b) "Third-party accommodation reservation service" means any website,
14 mobile application or other internet service that: (i) offers or
15 arranges for reserving on-premises service for a guest at a place of
16 public accommodation; and (ii) that is owned and operated by a person
17 other than the person who owns such place of public accommodation.

18 (c) "User" means any individual using a third-party accommodation
19 reservation service to make reservations for themselves and others in
20 their party.

21 2. A third-party accommodation reservation service shall, upon a user
22 attempting to complete a transaction on such service, inform the user
23 that the third-party accommodation reservation service is not the place
24 of public accommodation but instead a third-party accommodation reserva-

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

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1 tion service. Users will then have the option to continue to use the
2 third-party accommodation reservation service or cancel the transaction.
3 At no point before a user chooses to continue to use the third-party
4 accommodation reservation service shall the service charge the users'
5 credit card.

6 3. No third-party accommodation reservation service shall levy a fee
7 of more than ten percent of the cost of the first night of a reserved
8 accommodation upon a user for canceling such reservation within forty-
9 eight hours of the intended stay and shall not levy any such fee where
10 the reservation is canceled more than forty-eight hours in advance,
11 should the hotel waive the cancellation fee. Should the hotel not waive
12 the cancellation fee, a third-party accommodation reservation service
13 shall collect the cancellation fee and no more than a ten percent penal-
14 ty.

15 4. Any person who violates, or causes another person to violate, a
16 provision of this section or any rule promulgated pursuant thereto,
17 shall be subject to a civil penalty that shall not exceed one thousand
18 dollars for each violation. Violations by third-party accommodation
19 reservation services under this section shall accrue on a daily basis
20 for each day and for each place of public accommodation with respect to
21 which a violation of this section or any rule promulgated pursuant to
22 this section was committed. A proceeding to recover any civil penalty or
23 restitution authorized pursuant to this section may be brought within
24 any agency of the state designated to conduct such proceedings.

25 § 2. This act shall take effect on the sixtieth day after it shall
26 have become a law.