

STATE OF NEW YORK

8713--B

2025-2026 Regular Sessions

IN ASSEMBLY

June 2, 2025

Introduced by M. of A. P. CARROLL, VANEL -- 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 -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

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:

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

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

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

13 (i) "contract and customer service records" shall include the contract
14 between a user of a social referral service's platform and such social
15 referral service, including any contract amendments or ancillary agree-
16 ments, evidence of such user's acceptance of such contract's terms, such
17 user's name and contact information, and any notices provided by either
18 such party including, but not limited to, notices of cancellation,
19 consent, or withdrawal of consent, customer service records, and/or

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

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1 purchase and billing records, except that such records shall exclude any
2 sensitive payment information.

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

6 6. (a) Every contract for social referral service shall provide that
7 at the expiration of the contract or at the expiration of services
8 rendered by the seller, for any reason, all information and material of
9 a personal or private nature acquired from a purchaser directly or indi-
10 rectly including but not limited to answers to tests and questionnaires,
11 photographs or background information shall be [~~promptly~~] returned by
12 the seller to the purchaser by certified mail or destroyed and deleted
13 from any electronic storage devices within thirty days, with certif-
14 ication of destruction or deletion promptly provided to the purchaser
15 upon request, unless the retention of such information and material is
16 required [~~(a)~~]:

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

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

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

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

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

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

39 § 4. This act shall take effect immediately.