STATE OF NEW YORK

5615

2025-2026 Regular Sessions

IN SENATE

February 25, 2025

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to automatic renewals, continuous service offers, and automatic subscription renewals

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

Section 1. This act shall be known and may be cited as the "click to cancel act".

§ 2. Paragraph c of subdivision 1 of section 527-a of the general business law, as added by chapter 267 of the laws of 2020, is amended to read as follows:

c. fail to provide an acknowledgment that includes the automatic renewal or continuous service offer terms, cancellation policy, and information regarding how to cancel in a **clear and conspicuous** manner that is capable of being retained by the consumer. If the offer includes a free gift or trial, the business shall also disclose in the acknowledgment [~~how to cancel and allow the consumer to cancel before the consumer pays for the goods or services~~] **the price that will be charged after the free gift or trial period ends, and if the free gift or trial period lasts for more than thirty-one days followed by an upcoming automatic renewal or continuous service charge to such consumer's account, the business shall provide such acknowledgement at least three days before, but not more than twenty-one days before, the cancellation deadline for such automatic renewal or continuous service charge. Such notice shall include instructions on how to cancel and allow the consumer to cancel before the consumer pays for the automatic renewal or continuous service charge**.

§ 3. Paragraph b of subdivision 3 of section 527-a of the general business law, as added by chapter 728 of the laws of 2023, is amended to read as follows:

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

LBD02152-03-5

b. A business that allows a consumer to accept an automatic renewal or continuous service offer for an initial paid term of one year or longer[~~, provided that such automatic renewal or continuous service renews for a paid term of six months or longer,~~] shall notify such consumer of such upcoming automatic renewal or continuous service charge to such consumer's account at least fifteen days before, but not more than forty-five days before, the cancellation deadline for such automatic renewal **or continuous service charge**. Such notice shall include instructions on how to cancel such renewal **or continuous service** charge.

§ 4. Paragraph a of subdivision 3 of section 527-a of the general business law, as amended by chapter 728 of the laws of 2023, is amended and a new paragraph d is added to read as follows:

a. In addition to the requirements of subdivision two of this section, a consumer who accepts an automatic renewal or continuous service offer online shall be allowed to terminate the automatic renewal or continuous service exclusively online, which may include a termination email formatted and provided by the business that a consumer can send to the business without additional information. **A consumer who accepts an automatic renewal or continuous service offer shall additionally be allowed to terminate the automatic renewal or continuous service offer in the same medium that the consumer accepted such automatic renewal or continuous service offer. If the consumer accepted the automatic renewal or continuous service offer through a phone call, a toll-free phone number shall be provided for the purposes of cancellation of the subscription and shall be prominently displayed in the disclosure.**

d. In addition to the requirements of subdivision two of this section, in the case of a change in the fee charged under an existing automatic renewal or continuous service offer that has been accepted by a consumer, the business shall provide, no less than seven days and no more than thirty days before the fee change takes effect, the consumer with both of the following: (i) a clear and conspicuous notice of the fee change; and (ii) information regarding how to cancel such automatic renewal or continuous service in a manner that is capable of being retained by the consumer.

§ 5. This act shall take effect on the one hundred eightieth day after it shall have become a law.