STATE OF NEW YORK

9934--A

IN SENATE

April 16, 2026

Introduced by Sen. GIANARIS -- read twice and ordered printed, and when printed to be committed to the Committee on Internet and Technology -- 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 stealth crawlers

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

Section 1. The general business law is amended by adding a new article 48 to read as follows:

ARTICLE 48

NEW YORK STEALTH CRAWLER PROHIBITION ACT

Section 1750. Short title.
1751. Definitions.
1752. Stealth crawler disclosure.
1753. Stealth crawler prohibition.
1754. Enforcement.
1755. Severability.

§ 1750. Short title. This article shall be known and may be cited as the "New York stealth crawler prohibition act".

§ 1751. Definitions. As used in this article, the following terms shall have the following meanings:

1. "Crawler" means software that retrieves, scans, indexes, scrapes or otherwise accesses a website or other internet source, including but not limited to an online crawler, spider, fetcher, client, bot, user agent, AI agent or equivalent tool.

2. "Covered news source" means the website or any other relevant source of any print, television, radio, network, cable, satellite or digital publication or service which:

(a) performs a public-information function comparable to that traditionally served by journalism organizations, such as newspapers, broadcasters, magazines and other periodical publications;

(b) makes a substantial expenditure of labor, skill, and money to create, edit, produce and distribute content including by engaging indi-

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

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viduals to create, edit, produce and distribute original text, audio, photo, illustrative or video content concerning matters or topics of interest or use to members of the public through activities such as observation, video or audio recording events, interviews, research, testing and analysis;

(c) publishes new content or updates its content on at least a monthly basis and has a process for error correction and clarification; and

(d) has at least one thousand monthly active viewers, listeners, users or subscribers in New York.

3. "Journalism provider" means any person that owns one or more covered news sources.

4. "Operator" means any individual, partnership, association, firm, or business entity, or any member, affiliate, subsidiary or beneficial owner thereof.

5. "Person" means any individual, partnership, corporation, trust, estate, co-operative, association, government or governmental subdivision, agency or other entity.

6. "Service provider" means an entity offering the transmission, routing or providing of connections for broadcast or digital online communications, between or among points specified or selected by a viewer, listener, user or subscriber, of material of such user's choosing, without modification to the content of the material as sent or received, including an entity that provides internet access services.

7. "Stealth crawler" means a crawler that does not comply with section seventeen hundred fifty-two of this article.

§ 1752. Stealth crawler disclosure. A crawler that accesses a covered news source shall disclose its identity and purpose at the time or before it accesses the covered news source, including by:

(a) identifying itself via a valid and accurate user-agent string, which shall state the identity of any software product making the request, the version of such software product and the identity of the company behind such software product; and

(b) disclosing the specific nature and purpose of such crawler, which shall include all uses and purposes that the content of the covered news source could be used for, at the time access is requested and in a format that the journalism provider can access.

§ 1753. Stealth crawler prohibition. It shall be a violation of this article for any operator to deploy a stealth crawler in a manner that would damage, impair or burden the operation of a covered news source or otherwise cause a news source economic harm.

§ 1754. Enforcement. 1. Whenever the attorney general shall believe from evidence satisfactory to them that an operator has engaged in or is about to engage in any of the acts or practices stated to be unlawful in this article, they may bring an action in the name and on behalf of the people of the state of New York to enjoin an operator from continuing such unlawful acts or practices, and may seek civil penalties of up to fifteen thousand dollars per day for each violation. If it shall appear to the satisfaction of the court or justice that the defendant has violated this article, no proof shall be required that any person has been injured thereby. In such action preliminary relief may be granted under article sixty-three of the civil practice law and rules.

2. (a) Pursuant to subdivision (c) of section thirty-one hundred two of the civil practice law and rules, a journalism provider may request the clerk of the supreme court, or a judge where there is no clerk, to issue a subpoena prior to the institution of an action, to a service provider for identification of an alleged violator.

(b) The clerk, or the judge where there is no clerk, shall within a reasonable period of time issue and sign the proposed subpoena and return it to the journalism provider for delivery to the service provider.

(c) The subpoena shall authorize and order the service provider receiving such subpoena to expeditiously disclose to the journalism provider information sufficient to identify the alleged violator to the extent such information is available to such service provider.

(d) A subpoena issued under this section shall include a provision requiring the preservation of any relevant evidence in the possession of the service provider.

§ 1755. Severability. If any clause, sentence, paragraph, section or part of this article shall be adjudged by any court of competent jurisdiction to be invalid and after exhaustion of all further judicial review, the judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this act directly involved in the controversy in which the judgment shall have been rendered.

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