

STATE OF NEW YORK

3928--B

2025-2026 Regular Sessions

IN ASSEMBLY

January 30, 2025

Introduced by M. of A. BORES, STIRPE, GALLAGHER -- read once and referred to the Committee on Consumer Affairs and Protection -- 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 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:

1 Section 1. This act shall be known and may be cited as the "click to
2 cancel act".
3 § 2. Paragraph c of subdivision 1 of section 527-a of the general
4 business law, as added by chapter 267 of the laws of 2020, is amended
5 to read as follows:
6 c. fail to provide an acknowledgment that includes the automatic
7 renewal or continuous service offer terms, cancellation policy, and
8 information regarding how to cancel in a clear and conspicuous manner
9 that is capable of being retained by the consumer. If the offer includes
10 a free gift or trial, the business shall also disclose in the acknowl-
11 edgment [~~how to cancel and allow the consumer to cancel before the~~
12 ~~consumer pays for the goods or services~~] the price that will be charged
13 after the free gift or trial period ends, and if the free gift or trial
14 period lasts for more than thirty-one days followed by an upcoming auto-
15 matic renewal or continuous service charge to such consumer's account,
16 the business shall provide such acknowledgement at least three days
17 before, but not more than twenty-one days before, the cancellation dead-
18 line for such automatic renewal or continuous service charge. Such
19 notice shall include instructions on how to cancel and allow the consum-

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

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1 er to cancel before the consumer pays for the automatic renewal or
2 continuous service charge.

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

6 b. A business that allows a consumer to accept an automatic renewal or
7 continuous service offer for an initial paid term of one year or long-
8 er[~~, provided that such automatic renewal or continuous service renews~~
9 ~~for a paid term of six months or longer,~~] with a renewal term of more
10 than thirty-one days shall notify such consumer of such upcoming auto-
11 matic renewal or continuous service charge to such consumer's account at
12 least fifteen days before, but not more than forty-five days before, the
13 cancellation deadline for such automatic renewal or continuous service
14 charge. Such notice shall include instructions on how to cancel such
15 renewal or continuous service charge.

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

19 a. In addition to the requirements of subdivision two of this section,
20 a consumer who accepts an automatic renewal or continuous service offer
21 online shall be allowed to terminate the automatic renewal or continuous
22 service exclusively online, which may include a termination email
23 formatted and provided by the business that a consumer can send to the
24 business without additional information. A consumer who accepts an auto-
25 matic renewal or continuous service offer shall additionally be allowed
26 to terminate the automatic renewal or continuous service offer in the
27 same medium that the consumer accepted such automatic renewal or contin-
28 uous service offer. If the consumer accepted the automatic renewal or
29 continuous service offer through a phone call, a toll-free phone number
30 shall be provided for the purposes of cancellation of the subscription
31 and shall be prominently displayed in the disclosure.

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

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