



House of Representatives

File No. 824

General Assembly

January Session, 2011

(Reprint of File No. 83)

Substitute House Bill No. 5866
As Amended by House Amendment
Schedules "A" and "D"

Approved by the Legislative Commissioner
May 20, 2011

AN ACT CONCERNING INTERNET DATING SAFETY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2011*) (a) As used in this
2 section:

3 (1) "Internet dating service" means a person engaged in the business
4 of offering or providing access to dating, relationship, compatibility or
5 matrimonial matching services to members on or through the Internet;

6 (2) "Internet service provider" means a person who provides any
7 other person in this state with the ability to connect to the Internet
8 through equipment that is located in this state;

9 (3) "Member" means a person who submits information to an
10 Internet dating service required to access dating, relationship,
11 compatibility or matrimonial matching services; and

12 (4) "Connecticut member" means a member who provides a
13 Connecticut billing address or zip code when registering with an
14 Internet dating service.

15 (b) An Internet dating service offering services to Connecticut
 16 members shall provide to such members a safety awareness
 17 notification that includes a list and description of safety measures
 18 reasonably designed to increase awareness of safer dating practices in
 19 a clear and conspicuous manner. Such notification shall include, but
 20 not be limited to, the following statements or substantially similar
 21 statements: (1) "There is no substitute for acting with caution when
 22 communicating with any stranger who wants to meet you."; (2) "Never
 23 include your last name, electronic mail address, home address,
 24 telephone number, place of work or any other identifying information
 25 in your Internet profile or initial electronic mail messages. Stop
 26 communicating with anyone who pressures you for personal or
 27 financial information or attempts in any way to trick you into
 28 revealing it."; and (3) "If you choose to have a face-to-face meeting with
 29 another member, always tell someone in your family or a friend where
 30 you are going and when you will return. Never agree to be picked up
 31 at your home. Always provide your own transportation to and from
 32 your date and meet in a public place with many people around." Such
 33 notification shall be given at the time a Connecticut member registers
 34 with the service and by way of a link on the main web site, or the first
 35 entry point, of the Internet dating service.

36 (c) The Commissioner of Consumer Protection, after notice and
 37 hearing, may impose a civil penalty of not more than seven hundred
 38 fifty dollars for each offense on any person who violates subsection (b)
 39 of this section.

40 (d) An Internet service provider does not violate this section solely
 41 as a result of serving as an intermediary for the transmission of
 42 communications between members of an Internet dating service.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2011	New section

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill results in no cost to the Department of Consumer Protection (DCP) as it does not require the DCP to actively monitor internet dating sites to ensure that they have safety notifications for Connecticut residents. It is anticipated that the DCP will act upon a complaint. Few such complaints are expected, and there is no anticipated cost to the department.

House "A" (LCO 6130) struck the original bill resulting in technical changes to the bill and had no fiscal impact.

House "D" (LCO 6530) made violations of the bill subject to civil penalties rather than Connecticut Unfair Trade Practices penalties and did not alter the fiscal impact of the bill.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5866 (as amended by House "A" and "D")******AN ACT CONCERNING INTERNET DATING SAFETY.*****SUMMARY:**

This bill requires any Internet dating service offering services to Connecticut members to have a safety notice listing measures reasonably designed to increase awareness of safer dating practices.

The consumer protection commissioner may, after notice and hearing, impose a civil penalty of up to \$750 for each offense on any person who violates the safety notice provision.

Internet service providers do not violate the notice requirement solely by serving as an intermediary in transmitting members' communications.

*House Amendment "A" adds and clarifies definitions.

*House Amendment "D" changes the penalty from an unfair trade practice violation to a civil penalty.

EFFECTIVE DATE: October 1, 2011

DEFINITIONS

The bill applies to any "Internet dating service," which it defines as a person engaged in the business of offering or providing access to dating, relationship, compatibility, or matrimonial matching services to members on or through the Internet.

It requires notice to a "Connecticut member" who (1) is a person who submits information to an Internet dating service required to access dating, relationship, compatibility, or matrimonial matching

services and (2) provides a Connecticut billing address or zip code when registering with an Internet dating service.

The bill also defines “Internet service provider” to mean a person who provides any other person in this state with the ability to connect to the Internet through equipment located in this state.

NOTICE REQUIREMENTS

The bill requires any Internet dating service offering services to Connecticut members to provide the safety awareness notice in a clear and conspicuous manner. The notice must be given at registration, either through a link on the main website or the site’s first entry point.

The notification must include the following or substantially similar statements.

1. “There is no substitute for acting with caution when communicating with any stranger who wants to meet you.”
2. “Never include your last name, electronic mail address, home address, telephone number, place of work, or any other identifying information in your Internet profile or initial electronic mail messages. Stop communicating with anyone who pressures you for personal or financial information or attempts in any way to trick you into revealing it.”
3. “If you choose to have a face-to-face meeting with another member, always tell someone in your family or a friend where you are going and when you will return. Never agree to be picked up at your home. Always provide your own transportation to and from your date and meet in a public place with many people around.”

COMMITTEE ACTION

General Law Committee

Joint Favorable

Yea 14 Nay 1 (03/03/2011)

Judiciary Committee

Joint Favorable

Yea 37 Nay 0 (04/14/2011)