



House of Representatives

General Assembly

File No. 83

January Session, 2011

Substitute House Bill No. 5866

House of Representatives, March 17, 2011

The Committee on General Law reported through REP. TABORSAK of the 109th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

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 or entity that, for profit,
4 offers, promotes or provides access to dating, relationship,
5 compatibility, matrimonial or social referral services on or through the
6 Internet;

7 (2) "Member" means a customer, client or participant who submits
8 to an Internet dating service information required to access the service
9 for the purpose of engaging in dating, relationship, compatibility,
10 matrimonial or social referral; and

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

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

35 (c) A violation of the provisions of subsection (b) of this section shall
 36 be deemed an unfair trade or deceptive practice under subsection (a)
 37 of section 42-110b of the general statutes.

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

Statement of Legislative Commissioners:

The definition of "Internet service provider" in subdivision (2) of subsection (a) was deleted because it was unnecessary and subdivision designators were changed accordingly.

GL *Joint Favorable Subst.-LCO*

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.

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State Impact: None

Municipal Impact: None

OLR Bill Analysis

sHB 5866

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.

Failing to provide a notice is an unfair trade or deceptive practice.

EFFECTIVE DATE: October 1, 2011

DEFINITIONS

The bill applies to any "Internet dating service," which it defines as a person or entity that, for profit, offers, promotes, or provides access to dating, relationship, compatibility, matrimonial, or social referral services on or through the Internet.

It requires notice to a "Connecticut member" who (1) is a customer, client, or participant who submits to an Internet dating service information required to access the service for the purpose of engaging in dating, relationship, compatibility, matrimonial, or social referral and (2) provides a Connecticut billing address or zip code when registering with an Internet dating service.

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, 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."

BACKGROUND

Connecticut Unfair Trade Practices Act (CUTPA)

The law prohibits businesses from engaging in unfair and deceptive acts or practices. CUTPA allows the consumer protection commissioner to issue regulations defining what constitutes an unfair trade practice, investigate complaints, issue cease and desist orders, order restitution in cases involving less than \$5,000, enter into consent agreements, ask the attorney general to seek injunctive relief, and accept voluntary statements of compliance. CUTPA also allows individuals to sue. Courts may issue restraining orders; award actual and punitive damages, costs, and reasonable attorneys fees; and impose civil penalties of up to \$5,000 for willful violations and \$25,000 for violation of a restraining order.

COMMITTEE ACTION

General Law Committee

Joint Favorable

Yea 14 Nay 1 (03/03/2011)