



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

House: COM DP 10-0-0-0

HB 2396: online dating fraud; member notice

Sponsor: Representative Cobb, LD 5

Caucus & COW

Overview

Establishes fraud ban disclosure requirements for an online dating service provider.

History

Contracts for a dating referral service must be in writing and include any requirement or prohibition as prescribed by law. A dating service enterprise is prohibited from: 1) using coercive sales tactics; 2) misrepresenting the quality, benefits or nature of services; 3) misrepresenting the qualifications or number of other customers participating in the services provided by the enterprise; and 4) misrepresenting the success the enterprise has had in making matches or referrals that are favorable to the enterprise's customers (A.R.S. §§ [44-7152](#) and [44-7154](#)).

Dating referral services are services that are primarily intended to introduce or match adults for social or romantic activities, including activities that are commonly referred to as computer dating or video dating services. Dating referral services does not include arrangements in which one party is compensated for engaging in the social activity ([A.R.S. § 44-7151](#)).

Provisions

1. Requires an online dating service provider to give notice to all of its members who have previously received and responded to an on-site message from another member who is subject to a fraud ban.
 - a. Outlines the contents of the notice. (Sec. 3)
2. Requires the notification to be:
 - a. Clear and conspicuous;
 - b. Sent by email, text message or other means consented to by the member; and
 - c. Sent after the fraud ban is initiated against the banned member:
 - i. Within 24-hours; or
 - ii. If circumstances require additional time, within 3 days. (Sec. 3)
3. Specifies an online dating service provider is not liable to any person other than any agency, department or political subdivision of this state:
 - a. For means of communication used to notify a member;
 - b. When the notification is sent; or
 - c. For disclosing specified information. (Sec. 3)
4. Asserts the law does not create a private right of action or diminish or adversely affect the protections afforded under federal law regarding the protection for private blocking and screening of offensive material. (Sec. 3)
5. Defines pertinent terms. (Sec. 2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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6. Makes a technical change. (Sec. 1)