



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

House Engrossed

Overview

Establishes fraud ban disclosure requirements for an online dating service.

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 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 notice to be:
 - a) Clear and conspicuous;
 - b) Sent by email, text message or other means consented to by the member; and
 - c) Sent within a specified amount of time after the fraud ban is initiated against the banned member (Sec. 3)
3. Specifies an online dating service 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 fraud ban disclosure requirements 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)
6. Makes a technical change. (Sec. 1)

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note