



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2456

Introduced 2/4/2025, by Rep. Margaret Croke

SYNOPSIS AS INTRODUCED:

New Act

Creates the Restaurant Reservation Anti-Piracy Act. Provides that a third-party restaurant reservation service shall not list, advertise, promote, or sell reservations for a food service establishment through the website, mobile application, or other platform of the third-party restaurant reservation service without a written agreement between the third-party restaurant reservation service and the food service establishment. Provides that a written agreement that contains specified indemnifications shall be void and unenforceable. Provides that any person who violates, or causes another person to violate, a provision of the Act shall be subject to a civil penalty of up to \$1,000 for each violation. Provides for a private right of action.

LRB104 06525 SPS 16561 b

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Restaurant Reservation Anti-Piracy Act.

6 Section 5. Definitions. In this Act:

7 "Food service establishment" means a place where food is
8 provided for individual portion service directly to the
9 consumer whether the food is provided free of charge or sold,
10 and whether consumption occurs on or off the premises or is
11 provided from a pushcart, stand, or vehicle.

12 "Third-party restaurant reservation service" means any
13 website, mobile application, or other Internet service that
14 (i) offers or arranges for reserving on-premises service for a
15 customer at a food service establishment and (ii) is owned and
16 operated by a person other than the person who owns the food
17 service establishment.

18 Section 10. Reservation service agreements.

19 (a) A third-party restaurant reservation service shall not
20 list, advertise, promote, or sell reservations for a food
21 service establishment through the website, mobile application,
22 or other platform of the third-party restaurant reservation

1 service without a written agreement between the third-party
2 restaurant reservation service and the food service
3 establishment to include reservations at the food service
4 establishment on the website, mobile application, or other
5 platform.

6 (b) An agreement executed in accordance with this Section
7 shall not include a provision, clause, or covenant that
8 requires a food service establishment to indemnify a
9 third-party restaurant reservation service, any independent
10 contractor acting on behalf of the third-party restaurant
11 reservation service, or any registered agent of the
12 third-party restaurant reservation service, for any damages or
13 harm by an act or omission initiated by the third-party
14 restaurant reservation service. To the extent an agreement
15 executed in accordance with this Section contains such a
16 provision, the provision shall be deemed void and
17 unenforceable.

18 Section 15. Violations; civil penalties.

19 (a) Any person who violates, or causes another person to
20 violate, a provision of this Act shall be subject to a civil
21 penalty of up to \$1,000 for each violation. Each day that a
22 third-party restaurant reservation service violates this Act
23 with respect to a food service establishment constitutes a
24 single violation of this Act. A proceeding to recover any
25 civil penalty or restitution under this Act may be brought by

1 the Attorney General.

2 (b) Any person charged fees by a third-party restaurant
3 reservation service that respect to a reservation listed,
4 advertised, promoted, or sold in violation of this Act, or
5 food service establishment which a third-party restaurant
6 reservation service listed, advertised, promoted, or sold a
7 reservation in violation of this Act, may bring a civil action
8 in circuit court for:

9 (1) injunctive relief to restrain or enjoin any
10 activity in violation of this Act;

11 (2) actual damages not to exceed the total fees
12 collected by the third-party restaurant reservation
13 service in violation of this Act; and

14 (3) attorney's fees and costs; and

15 (4) other remedies as the court may deem appropriate.

16 (c) Any action alleging a violation of this Act shall be
17 brought within one year after the alleged violation of this
18 Act occurred.