

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 Stop
5 Online Booking Scams Act.

6 Section 5. Definitions. As used in this Act:

7 "Affiliation contract" means a contract between an online
8 platform and (i) the owner of the physical accommodation, (ii)
9 the entity that operates the physical accommodation, (iii) the
10 franchisor of the physical accommodation, or (iv) any entity
11 authorized to enter into contracts for online booking services
12 on behalf of the owner, operator, or franchisor.

13 "Exhibition organizer or meeting planner" means the person
14 responsible for all aspects of planning, promoting, and
15 producing a meeting, conference, event, or exhibition,
16 including overseeing and arranging all physical accommodation
17 reservation plans and contracts for the meeting, conference,
18 event, or exhibition.

19 "Online platform" means a website, mobile application,
20 call center, service, artificial intelligence system,
21 automated agent, or functionally similar technology that
22 facilitates the reservation or booking of physical
23 accommodations.

1 "Physical accommodation" has the meaning given to the term
2 "hotel" in the Hotel Operators' Occupation Tax Act.

3 "Shared hotel brand" means an identifying trademark that a
4 hotel operator is expressly licensed to operate under in
5 accordance with the terms of a hotel franchise or management
6 agreement.

7 "Third-party hotel booking website" means an online
8 platform that facilitates the reservation or booking of
9 physical accommodations in this State for consumers that is
10 not directly affiliated with the physical accommodation being
11 reserved or booked. "Third-party hotel booking website" does
12 not include:

13 (1) an online platform that is operated under a shared
14 hotel brand;

15 (2) an online platform that facilitates the
16 reservation or booking of physical accommodations by
17 connecting consumers to operators and owners of rental
18 properties, hotels, motels, or other short-term
19 accommodations, if the online platform has an affiliation
20 contract for the physical accommodation for which the
21 online platform is facilitating bookings; or

22 (3) an exhibition organizer or meeting planner or the
23 official housing bureau for a meeting, conference, event,
24 or exhibition held at the physical accommodation.

25 Section 10. Requirements for third-party hotel booking

1 websites. A third-party hotel booking website shall not
2 facilitate the reservation or booking of physical
3 accommodations in this State without clearly and conspicuously
4 disclosing to the consumer that:

5 (1) the third-party hotel booking website is a
6 third-party booking service and is not directly affiliated
7 with the physical accommodation; and

8 (2) the consumer is not directly making a reservation
9 or booking with the physical accommodation itself and the
10 third-party hotel booking website functions as an
11 unaffiliated intermediary for the transaction.

12 Section 15. Placement of disclosure.

13 (a) The disclosure required under Section 10 shall be
14 displayed in a clear and conspicuous manner on the webpage or
15 interface where the consumer selects physical accommodations
16 for reservation or booking and shall appear first in any
17 search results. A disclosure is not clear and conspicuous if a
18 consumer must take any action to see it, such as clicking on a
19 hyperlink or hovering over an icon.

20 (b) The disclosure shall appear prior to the entry of any
21 personal data and shall be separate from any general terms and
22 conditions or legal disclaimers.

23 (c) In any oral communication with a consumer, the
24 disclosure shall be communicated before any offer or
25 information regarding the physical accommodation.

1 Section 20. Prohibition on terms and conditions
2 exclusivity. The disclosure required under Section 10 shall
3 not be included solely in the third-party hotel booking
4 website's general terms and conditions or in any other section
5 of the website that requires the consumer to click through
6 multiple links or read extensive legal text.

7 Section 25. Enforcement under the Consumer Fraud and
8 Deceptive Business Practices Act. The Attorney General may
9 enforce violations of this Act as an unlawful practice under
10 the Consumer Fraud and Deceptive Business Practices Act. All
11 remedies, penalties, and authority granted to the Attorney
12 General by that Act shall be available to the Attorney General
13 for the enforcement of this Act.

14 Section 30. The Consumer Fraud and Deceptive Business
15 Practices Act is amended by adding Section 2MMMM as follows:

16 (815 ILCS 505/2MMMM new)

17 Sec. 2MMMM. Violations of the Stop Online Booking Scams
18 Act. A person who violates the Stop Online Booking Scams Act
19 commits an unlawful practice within the meaning of this Act.

20 Section 99. Effective date. This Act takes effect January
21 1, 2027.