

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. "Third-party restaurant reservation
18 service" does not include any reservation distribution channel
19 that is authorized to distribute reservations through a
20 contract with either a food service establishment or an entity
21 authorized to distribute reservations through a contract with
22 the food service establishment.

1 Section 10. Reservation service agreements. A third-party
2 restaurant reservation service shall not list, advertise,
3 promote, or sell reservations for a food service establishment
4 through the website, mobile application, or other platform of
5 the third-party restaurant reservation service without a
6 written agreement between the third-party restaurant
7 reservation service and the food service establishment to
8 include reservations at the food service establishment on the
9 website, mobile application, or other platform.

10 Section 15. Violations; civil penalties.

11 (a) Any person who violates, or causes another person to
12 violate, a provision of this Act shall be subject to a civil
13 penalty of up to \$1,000 for each violation. Each day that a
14 third-party restaurant reservation service violates this Act
15 with respect to a food service establishment constitutes a
16 single violation of this Act. A proceeding to recover any
17 civil penalty or restitution under this Act may be brought by
18 the Attorney General.

19 (b) Any person charged fees by a third-party restaurant
20 reservation service that with respect to a reservation listed,
21 advertised, promoted, or sold in violation of this Act, or
22 food service establishment which a third-party restaurant
23 reservation service listed, advertised, promoted, or sold a
24 reservation in violation of this Act, may bring a civil action
25 in circuit court for:

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

3 (2) actual damages not to exceed the total fees
4 collected by the third-party restaurant reservation
5 service in violation of this Act;

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

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

8 (c) Any action alleging a violation of this Act shall be
9 brought within one year after the alleged violation of this
10 Act occurred.