

# HB3173



## 104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3173

Introduced 2/18/2025, by Rep. Dave Vella

### SYNOPSIS AS INTRODUCED:

815 ILCS 505/2HHHH new

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that it is an unlawful practice for any third-party hotel booking service to facilitate the reservation or booking of a physical accommodation in the State without providing specified disclosures to the consumer. Sets forth requirements for the disclosure, including that it is clear and conspicuous. Defines terms. Effective January 1, 2026.

LRB104 10263 SPS 20337 b

A BILL FOR

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 5. The Consumer Fraud and Deceptive Business  
5 Practices Act is amended by adding Section 2HHHH as follows:

6 (815 ILCS 505/2HHHH new)

7 Sec. 2HHHH. Third-party hotel booking service disclosures.

8 (a) As used in this Section:

9 "Clear and conspicuous" means easily understandable and  
10 presented in a manner that stands out from any accompanying  
11 information that renders it readily apparent, unavoidable,  
12 readable, and understandable. "Clear and conspicuous"  
13 includes: (i) for a text disclosure, text that is of  
14 sufficient size, color, contrast, duration, and location for a  
15 consumer to easily read and understand; and (ii) for an audio  
16 disclosure, audio that is of sufficient volume, speed, and  
17 cadence for a consumer to easily hear and understand.

18 "Physical accommodation" has the meaning given to the term  
19 "hotel" in the Hotel Operators' Occupation and Tax Act.

20 "Third-party hotel booking service" means an online  
21 platform, website, phone or mobile application, call center,  
22 or service that facilitates the reservation or booking of  
23 accommodations in this State for consumers that is not

1 directly affiliated with the physical accommodation being  
2 reserved or booked. "Third-party hotel booking service" does  
3 not include any online platform, website, phone or mobile  
4 application, call center, or service operated by the physical  
5 accommodation.

6 (b) It is an unlawful practice within the meaning of this  
7 Act for any third-party hotel booking service to facilitate  
8 the reservation or booking of a physical accommodation in this  
9 State without providing a disclosure to the consumer that  
10 includes the following information:

11 (1) the third-party hotel booking service is a  
12 third-party booking service and not directly affiliated  
13 with the physical accommodation; and

14 (2) the consumer is not directly making a reservation  
15 or booking with the physical accommodation and that the  
16 third-party hotel booking service is as an unaffiliated  
17 intermediary for the transaction.

18 (c) A disclosure satisfies the requirements of this  
19 Section if the disclosure:

20 (1) is displayed in a clear and conspicuous manner on  
21 the webpage or interface that the consumer uses to reserve  
22 or book the physical accommodation;

23 (2) is presented before the consumer is presented any  
24 offer or information concerning a physical accommodation,  
25 including at the top of any search results or at the  
26 beginning of a spoken conversation;

1           (3) appears before the consumer is asked to enter any  
2           personal information;

3           (4) is made through the same means as the  
4           communication with the consumer; and

5           (5) is not contradictory or inconsistent with any  
6           other information that it is presented to the consumer.

7           (d) A disclosure does not satisfy the requirements of this  
8           Section if the disclosure:

9           (1) requires a consumer to take any additional action  
10           to access it, including, but not limited to, clicking on a  
11           hyperlink or hovering a cursor over an icon; or

12           (2) is only included in the third-party hotel booking  
13           service's general terms and conditions or in any other  
14           place that requires the consumer to click through multiple  
15           links or read extensive legal text.

16           Section 99. Effective date. This Act takes effect January  
17           1, 2026.