



Sen. Steve Stadelman

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10400SB2013sam001

LRB104 10262 SPS 37158 a

1 AMENDMENT TO SENATE BILL 2013

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2013 by replacing  
3 everything after the enacting clause with the following:

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

1 reservation plans and contracts for the meeting, conference,  
2 event, or exhibition.

3 "Online platform" means a website, mobile application,  
4 call center, service, artificial intelligence system,  
5 automated agent, or functionally similar technology that  
6 facilitates the reservation or booking of physical  
7 accommodations.

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

10 "Shared hotel brand" means an identifying trademark that a  
11 hotel operator is expressly licensed to operate under in  
12 accordance with the terms of a hotel franchise or management  
13 agreement.

14 "Third-party hotel booking website" means an online  
15 platform that facilitates the reservation or booking of  
16 physical accommodations in this State for consumers that is  
17 not directly affiliated with the physical accommodation being  
18 reserved or booked. "Third-party hotel booking website" does  
19 not include:

20 (1) an online platform that is operated under a shared  
21 hotel brand;

22 (2) an online platform that facilitates the  
23 reservation or booking of physical accommodations by  
24 connecting consumers to operators and owners of rental  
25 properties, hotels, motels, or other short-term  
26 accommodations, if the online platform has an affiliation

1 contract for the physical accommodation for which the  
2 online platform is facilitating bookings; or

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

6 Section 10. Requirements for third-party hotel booking  
7 websites. A third-party hotel booking website shall not  
8 facilitate the reservation or booking of physical  
9 accommodations in this State without clearly and conspicuously  
10 disclosing to the consumer that:

11 (1) the third-party hotel booking website is a  
12 third-party booking service and is 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 itself and the  
16 third-party hotel booking website functions as an  
17 unaffiliated intermediary for the transaction.

18 Section 15. Placement of disclosure.

19 (a) The disclosure required under Section 10 shall be  
20 displayed in a clear and conspicuous manner on the webpage or  
21 interface where the consumer selects physical accommodations  
22 for reservation or booking and shall appear first in any  
23 search results. A disclosure is not clear and conspicuous if a  
24 consumer must take any action to see it, such as clicking on a

1 hyperlink or hovering over an icon.

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

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

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

14 Section 25. Enforcement under the Consumer Fraud and  
15 Deceptive Business Practices Act. The Attorney General may  
16 enforce violations of this Act as an unlawful practice under  
17 the Consumer Fraud and Deceptive Business Practices Act. All  
18 remedies, penalties, and authority granted to the Attorney  
19 General by that Act shall be available to the Attorney General  
20 for the enforcement of this Act.

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

1 (815 ILCS 505/2MMMM new)

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

5 Section 99. Effective date. This Act takes effect January  
6 1, 2027.".