

H.84 Internet Dating Services – Amendments Proposed by
Wendy Morgan, Office of Attorney General – February 12, 2016

Sec. 1. FINDINGS AND PURPOSE

(a) The General Assembly finds:

(1) Currently an Internet dating service does not have an affirmative duty under any state or federal law to ban a member of the service, but a service may choose to voluntarily ban a member for violating of one or more terms of use, or because the service determines the member poses a risk of defrauding another member.

(2) In 2014, Internet dating services banned millions of members, the vast majority of which were banned within 72 hours of creating an account with the service.

(3) Of the members banned in 2014, well less than one percent contacted the Internet dating service concerning the ban.

(4) Due to a growing number of cases in which Vermont members of Internet dating services and Vermont businesses have been defrauded of significant financial amounts by the actions of persons using Internet dating services to defraud members or businesses, the Office of the Vermont Attorney General proposes this legislation, working with the input of multiple Internet dating services and other stakeholders.

(5) Should an Internet dating service violate this act, the Attorney General has authority pursuant to 9 V.S.A. §§ 2458 and 2459 to request from a court, or to settle with the service for, restitution for a consumer or class of consumers affected by the service's violation.

(b) Purpose. The purposes of this act are:

(1) to protect Vermont consumers by requiring an Internet dating service to timely disclose important information about banned members to Vermont members of the service;

(2) to protect Internet dating services from liability to members for disclosing the information required by this act even while the services remain liable to the State of Vermont, it's agencies, departments and subdivisions for violation of the act; and

(3) to protect Vermont consumers and other members of Internet dating services by requiring an Internet dating service to notify its Vermont members when there is a significant change to the Vermont member's account information.

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(1) "Account change" means a change to Internet dating service's member's pass word, or username, or the e-mail address; or other contact information used by an Internet dating service to enable communications between membersage, identified gender, gender of members seeking to meet, a primary photo unless it has previously been approved by the Internet dating service, or other conspicuous change to a member's account or profile with or on an Internet dating service.