

Effective 1/1/2024

13-67-105 Fraud ban notification.

- (1) An online dating service provider shall provide to a Utah member a fraud ban notification if the Utah member has received and responded to a message from a banned member.
- (2) A fraud ban notification under Subsection (1) shall include:
 - (a) to the extent permitted by law, the banned member's username, identification number, or other profile identifier;
 - (b) a statement that the banned member may have been using a false identity or attempting to defraud members;
 - (c) a statement that a member should not send money or personal financial information to another member; and
 - (d) an online link to information regarding ways to avoid online fraud or being defrauded by a member of an online dating service.
- (3) A fraud ban notification under Subsection (1) shall be:
 - (a) clear and conspicuous;
 - (b) sent by email, text message, or other appropriate means of communication consented to by the Utah member; and
 - (c)
 - (i) except as provided in Subsection (3)(c)(ii), sent within 24 hours after a fraud ban is initiated against a banned member; or
 - (ii) sent within three days after the day on which a fraud ban is initiated against a banned member if, in the judgment of the online dating service provider, the circumstances require the fraud ban notification be sent after the 24-hour period.
- (4) Except as provided in Section 13-67-106, an online dating service provider or an online dating service provider's employees and agents who are acting in good faith and in compliance with this section are not liable to a person based on:
 - (a) the means of communication used to issue a fraud ban notification to a Utah member under this section;
 - (b) the timing of a fraud ban notification sent to a Utah member under this section; or
 - (c) the disclosure of information in a fraud ban notification under this section, including:
 - (i) information that a member is a banned member or the subject of a fraud ban;
 - (ii) the banned member's username, identification number, or other profile identifier; or
 - (iii) the reason that the online dating service provider initiated the fraud ban of the banned member.

Enacted by Chapter 31, 2023 General Session