



General Assembly

January Session, 2025

Committee Bill No. 5560

LCO No. 5281



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

***AN ACT PROHIBITING CERTAIN CONDUCT CONCERNING REVIEWS
OF BUSINESSES, CONSUMER GOODS AND CONSUMER SERVICES.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2025*) For the purposes of this
2 section and sections 2 to 6, inclusive, of this act:

3 (1) "Business" means a person who offers or sells a consumer good or
4 consumer service to a consumer;

5 (2) "Celebrity testimonial" (A) means an advertising or promotional
6 message that consumers are likely to believe reflects the opinions,
7 beliefs or experiences of a well-known individual who has purchased,
8 used or otherwise had experience with a business, consumer good or
9 consumer service, and (B) includes, but is not limited to, (i) an oral
10 statement or demonstration by, or purportedly by, a well-known
11 individual, or (ii) a depiction of the name, signature, likeness or other
12 identifying personal characteristics of a well-known individual;

13 (3) "Consumer" means an individual who is physically present in this
14 state and a prospective purchaser or user of consumer goods or
15 consumer services;

16 (4) "Consumer good" means an article that is purchased or used
17 primarily for personal, family or household purposes;

18 (5) "Consumer review" (A) means an individual's or purported
19 individual's evaluation of a business, consumer good or consumer
20 service that is (i) submitted by the individual or purported individual,
21 and (ii) published on an Internet web site or online technology platform
22 that is dedicated, in whole or in part, to receiving and publishing such
23 evaluations, and (B) includes, but is not limited to, an individual's or
24 purported individual's rating of a business, consumer good or consumer
25 service regardless of whether such rating includes any text or narrative;

26 (6) "Consumer service" means a service that is purchased or used
27 primarily for personal, family or household purposes;

28 (7) "Consumer testimonial" (A) means an advertising or promotional
29 message that consumers are likely to believe reflects the opinions,
30 beliefs or experiences of an individual who has purchased, used or
31 otherwise had experience with a business, consumer good or consumer
32 service, and (B) includes, but is not limited to, an oral statement or
33 demonstration by, or a depiction of the name, signature, likeness or
34 other identifying personal characteristics of, an individual;

35 (8) "Immediate relative" means an individual's spouse, parent, child
36 or sibling;

37 (9) "Indicator of social media influence" (A) means a metric that is
38 used by the public to assess an individual's influence on a social media
39 platform, and (B) includes, but is not limited to, metrics concerning an
40 individual's followers, friends, connections, subscribers, views, plays,
41 likes, saves, shares, reposts or comments on a social media platform;

42 (10) "Manager" means an employee of a business who (A) supervises
43 other employees or agents of the business, and (B) holds the title
44 "manager" or otherwise serves in a managerial role;

45 (11) "Officer" includes an owner, an executive or a managing member

46 of a business;

47 (12) "Person" means an individual, association, corporation, limited
48 liability company, partnership, trust or other legal entity;

49 (13) "Purchase" means to provide anything of value, including, but
50 not limited to, any money, gift certificate, consumer good, consumer
51 service, discount, coupon, contest entry, consumer review, consumer
52 testimonial or celebrity testimonial, in exchange for anything else of
53 value;

54 (14) "Reviewer" means the individual who writes, or purportedly
55 writes, a consumer review;

56 (15) "Social media platform" means a public or semi-public Internet-
57 based service or application that (A) is used by a consumer, (B) is
58 primarily intended to connect users of, and allow users to socially
59 interact within, such service or application, and (C) enables a user to (i)
60 construct a public or semi-public profile for the purposes of signing into
61 and using such service or application, (ii) populate a public list of other
62 users with whom the user shares a social connection within such service
63 or application, and (iii) create or post content that is viewable by other
64 users, including, but not limited to, on message boards, in chat rooms,
65 or through a landing page or main feed that presents the user with
66 content generated by other users; and

67 (16) "Testimonialist" means the individual who gives, or purportedly
68 gives, a consumer testimonial or celebrity testimonial.

69 Sec. 2. (NEW) (*Effective October 1, 2025*) (a) It shall be an unfair or
70 deceptive trade practice under subsection (a) of section 42-110b of the
71 general statutes for a business to:

72 (1) Write, give or sell a consumer review, consumer testimonial or
73 celebrity testimonial that materially misrepresents, expressly or
74 implicitly, (A) that the reviewer or testimonialist who purportedly
75 wrote or gave the consumer review, consumer testimonial or celebrity

76 testimonial exists, (B) that the reviewer or testimonialist purchased,
77 used or otherwise had experience with the business, consumer good or
78 consumer service that is the subject of the consumer review, consumer
79 testimonial or celebrity testimonial, or (C) the reviewer's or
80 testimonialist's experience with the business, consumer good or
81 consumer service that is the subject of the consumer review, consumer
82 testimonial or celebrity testimonial;

83 (2) Except as provided in subdivision (1) of subsection (b) of this
84 section, purchase a consumer review, or disseminate or cause the
85 dissemination of a consumer testimonial or celebrity testimonial, if (A)
86 the consumer review, consumer testimonial or celebrity testimonial
87 concerns the business or any consumer good or consumer service sold
88 by the business, and (B) the business knows, or reasonably should
89 know, that the consumer review, consumer testimonial or celebrity
90 testimonial materially misrepresents, expressly or implicitly, (i) that the
91 reviewer or testimonialist who purportedly wrote or gave the consumer
92 review, consumer testimonial or celebrity testimonial exists, (ii) that the
93 reviewer or testimonialist used, or otherwise had experience with, the
94 business, consumer good or consumer service that is the subject of the
95 consumer review, consumer testimonial or celebrity testimonial, or (iii)
96 the reviewer's or testimonialist's experience with the business,
97 consumer good or consumer service that is the subject of the consumer
98 review, consumer testimonial or celebrity testimonial;

99 (3) Except as provided in subdivision (1) of subsection (b) of this
100 section, procure a consumer review from an officer, manager, employee
101 or agent of the business, or from an immediate relative of an officer,
102 manager, employee or agent of the business, for the purpose of
103 publishing the consumer review on a third party's Internet web site or
104 online technology platform if (A) the consumer review concerns the
105 business or any consumer good or consumer service sold by the
106 business, and (B) the business knows, or reasonably should know, that
107 the consumer review materially misrepresents, expressly or implicitly,
108 (i) that the reviewer used, or otherwise had experience with, the

109 business, consumer good or consumer service that is the subject of the
110 consumer review, or (ii) the reviewer's experience with the business,
111 consumer good or consumer service that is the subject of the consumer
112 review;

113 (4) Provide any compensation or other incentive to an individual in
114 exchange for, or that is explicitly or implicitly conditioned on, the
115 individual writing a consumer review that expresses a particular
116 sentiment, whether positive or negative, regarding the business,
117 consumer good or consumer service that is the subject of the consumer
118 review;

119 (5) Except as provided in subdivision (1) of subsection (b) of this
120 section, disseminate, or cause the dissemination of, a consumer
121 testimonial if (A) the business knows, or reasonably should know, that
122 the consumer testimonial is given by an officer, manager, employee or
123 agent of the business, and (B) the consumer testimonial (i) concerns the
124 business or any consumer good or consumer service sold by the
125 business, and (ii) does not clearly and conspicuously disclose, in
126 accordance with the provisions of section 5 of this act, the
127 testimonialist's material relationship to the business, unless such
128 material relationship is otherwise clear to the audience for the consumer
129 testimonial;

130 (6) Materially misrepresent, explicitly or implicitly, that an Internet
131 web site, online technology platform or person that the business owns,
132 operates or controls provides independent reviews or opinions, other
133 than consumer reviews, about a category of businesses, consumer goods
134 or consumer services that includes the business or a consumer good or
135 consumer service sold by the business; or

136 (7) Except as provided in subdivision (2) of subsection (b) of this
137 section, materially misrepresent, explicitly or implicitly, that the
138 consumer reviews of one or more of the consumer goods or consumer
139 services sold by the business and displayed on any portion of the
140 business's Internet web site or online technology platform that is

141 dedicated, in whole or in part, to receiving and displaying consumer
142 reviews represents all or most of the consumer reviews that have been
143 submitted to such Internet web site or online technology platform if any
144 consumer review that has been submitted to such Internet web site or
145 online technology platform has been suppressed, or is not displayed,
146 based upon any rating or negative sentiment expressed in such
147 consumer review.

148 (b) (1) The provisions of subdivisions (2), (3) and (5) of subsection (a)
149 of this section shall not be construed to apply to (A) consumer reviews
150 or consumer testimonials that are written or given in response to a
151 generalized solicitation made by a business to the purchasers of a
152 consumer good or consumer service sold by the business for consumer
153 reviews or consumer testimonials regarding the purchasers' experience
154 with the business, consumer good or consumer service, or (B) consumer
155 reviews or consumer testimonials that appear on an Internet web site or
156 online technology platform exclusively because a business provides the
157 technological means by which an Internet web site or online technology
158 platform enables consumers to submit, view and hear the consumer
159 reviews or consumer testimonials;

160 (2) The provisions of subdivision (7) of subsection (a) of this section
161 shall not be construed to prohibit a business from suppressing or
162 refusing to display a consumer review if the suppression or refusal is
163 based on criteria that apply regardless of the rating or sentiment
164 expressed in the consumer review, including, but not limited to, in
165 circumstances in which (A) a consumer review is wholly unrelated to
166 the consumer goods or consumer services offered on the business's
167 Internet web site or online technology platform, (B) a consumer review
168 contains (i) any trade secret or other privileged or confidential
169 commercial or financial information, (ii) any defamatory, harassing,
170 abusive, obscene, vulgar or sexually explicit content, (iii) any personal
171 information concerning, or likeness of, an individual, (iv) any content
172 that is discriminatory with respect to race, gender, sexuality, ethnicity
173 or any other intrinsic characteristic, or (v) any content that is clearly false

174 or misleading, or (C) the business reasonably believes the consumer
175 review was generated by (i) a software program that carries out
176 automated tasks on the Internet web site or online technology platform,
177 or (ii) an account on the Internet web site or online technology platform
178 that (I) falsely purports to be an individual's account and is not
179 associated with the individual, (II) was created by using an individual's
180 personal information without the individual's consent, (III) was
181 unlawfully seized from an individual, or (IV) otherwise inaccurately
182 reflects an individual's activities, opinions, findings or experiences.

183 Sec. 3. (NEW) (*Effective October 1, 2025*) (a) It shall be an unfair or
184 deceptive trade practice under subsection (a) of section 42-110b of the
185 general statutes for an officer or manager of a business to:

186 (1) Write or give a consumer review or consumer testimonial
187 concerning the business, or a consumer good or consumer service sold
188 by the business, unless (A) the consumer review or consumer
189 testimonial clearly and conspicuously discloses, in accordance with the
190 provisions of section 5 of this act, the officer's or manager's material
191 relationship to the business, or (B) in the case of a consumer testimonial,
192 the relationship is otherwise clear to the audience for the consumer
193 testimonial; or

194 (2) Solicit or demand a consumer review concerning the business, or
195 a consumer good or consumer service sold by the business, from an
196 employee or agent of the business, or from an immediate relative of the
197 officer, manager or an employee or agent of the business, if (A) the
198 solicitation or demand causes the employee, agent or immediate relative
199 to write a consumer review that does not clearly and conspicuously
200 disclose the reviewer's material relationship to the business, officer,
201 manager or employee in accordance with the provisions of section 5 of
202 this act, and (B) the officer or manager (i) encouraged the reviewer not
203 to make the disclosure required under subparagraph (A) of this
204 subdivision, (ii) did not instruct the reviewer to make the disclosure
205 required under subparagraph (A) of this subdivision, or (iii) (I) knew,

206 or reasonably should have known, that such consumer review was
207 published without the disclosure required under subparagraph (A) of
208 this subdivision, and (II) failed to take any remedial action in response
209 to publication of such consumer review.

210 (b) The provisions of subdivision (2) of subsection (a) of this section
211 shall not be construed to apply to consumer reviews that are written in
212 response to a generalized solicitation made by a business to the
213 purchasers of a consumer good or consumer service sold by the business
214 for consumer reviews regarding the purchasers' experience with the
215 business, consumer good or consumer service.

216 Sec. 4. (NEW) (*Effective October 1, 2025*) It shall be an unfair or
217 deceptive trade practice under subsection (a) of section 42-110b of the
218 general statutes for a person to:

219 (1) As part of an effort to prevent any person from publishing a
220 consumer review or any portion of a consumer review, or to cause any
221 person to unpublish a consumer review or any portion of a consumer
222 review, (A) make any legal claim, defense or other contention that is (i)
223 not founded in existing law, or (ii) based on any factual assertion that is
224 unsupported by evidence or is unlikely to be supported by evidence
225 after a reasonable opportunity for investigation or discovery, (B) make
226 any physical threat or use any other form of intimidation, or (C) make
227 any publicly accessible and false accusation (i) with the knowledge that
228 such accusation is false, or (ii) with reckless disregard as to the truth or
229 falsity of such accusation;

230 (2) Purchase or otherwise procure any indicator of social media
231 influence that (A) such person knows, or reasonably should know, was
232 generated by (i) a software program that carries out automated tasks on
233 a social media platform, or (ii) an account on a social media platform
234 that (I) falsely purports to be an individual's account and is not
235 associated with the individual, (II) was created by using an individual's
236 personal information without the individual's consent, (III) was
237 unlawfully seized from an individual, or (IV) otherwise inaccurately

238 reflects an individual's activities, opinions, findings or experiences, and
239 (B) materially misrepresents an individual's influence or importance on
240 a social media platform for a commercial purpose; or

241 (3) Distribute or sell any indicator of social media influence described
242 in subparagraph (A) of subdivision (2) of this section that (A) such
243 person knows, or reasonably should know, is an indicator of social
244 media influence described in said subparagraph (A) of subdivision (2)
245 of this section, and (B) can be used by any other person to materially
246 misrepresent an individual's influence or importance on a social media
247 platform for a commercial purpose.

248 Sec. 5. (NEW) (*Effective October 1, 2025*) (a) For the purposes of
249 subdivision (5) of subsection (a) of section 2 of this act and subsection
250 (a) of section 3 of this act, a disclosure shall be deemed to be clear and
251 conspicuous if the disclosure is easily noticeable and understandable by
252 an ordinary consumer because such disclosure:

253 (1) Is made in the same medium through which the representation
254 necessitating such disclosure is made, if such representation is made in
255 an exclusively visual medium or an exclusively audible medium;

256 (2) Is made at least in the same medium through which the
257 representation necessitating such disclosure is made, if such
258 representation is made in a visual and audible medium, including, but
259 not limited to, a television advertisement;

260 (3) Is made in a manner that renders such disclosure easily noticeable,
261 readable and understandable by ordinary consumers, and distinguishes
262 such disclosure from any accompanying text or other visual element,
263 due to the size, contrast, location, duration or other characteristics of
264 such disclosure, if such disclosure is made in a visual medium;

265 (4) Is made in a volume, speed and cadence that is sufficient for
266 ordinary consumers to easily hear and understand such disclosure, if
267 such disclosure is made in an audible medium, including, but not

268 limited to, the audible element of a telephone communication or
269 streaming video;

270 (5) Is made in a manner that is unavoidable by ordinary consumers
271 and does not require an ordinary consumer to take any action,
272 including, but not limited to, clicking a hyperlink or hovering over an
273 icon, to receive such disclosure, if such disclosure is made in an
274 interactive medium such as an Internet web site, online technology
275 platform or social media platform;

276 (6) Uses diction and syntax that is understandable by ordinary
277 consumers;

278 (7) Appears in each language in which such disclosure is required to
279 appear under any other applicable law;

280 (8) Satisfies all requirements established in this subsection for each
281 medium through which such disclosure is received; and

282 (9) Is not contradicted or mitigated by, or inconsistent with, the other
283 contents of the medium in which such disclosure is made.

284 (b) For the purposes of subsection (a) of this section, the members of
285 a group, including, but not limited to, individuals who are younger than
286 eighteen years of age, individuals who are older than sixty-five years of
287 age or individuals who have been diagnosed with a terminal illness, as
288 defined in section 20-14q of the general statutes, shall be deemed to be
289 ordinary consumers for any representation or sales practice that is
290 specifically directed at such group.

291 Sec. 6. (NEW) (*Effective October 1, 2025*) The Commissioner of
292 Consumer Protection may adopt regulations, in accordance with the
293 provisions of chapter 54 of the general statutes, to implement the
294 provisions of sections 1 to 5, inclusive, of this act.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2025</i>	New section
Sec. 2	<i>October 1, 2025</i>	New section
Sec. 3	<i>October 1, 2025</i>	New section
Sec. 4	<i>October 1, 2025</i>	New section
Sec. 5	<i>October 1, 2025</i>	New section
Sec. 6	<i>October 1, 2025</i>	New section

Statement of Purpose:

To prohibit certain conduct concerning reviews of businesses, consumer goods and consumer services.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. ELLIOTT, 88th Dist.

H.B. 5560