

2025 Regular Session

HOUSE BILL NO. 90

BY REPRESENTATIVE HEBERT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COMMERCE: Provides relative to preventing restaurant reservation fraud

1 AN ACT

2 To enact Chapter 69 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 51:3291, relative to preventing restaurant reservation fraud; to provide for
4 definitions; to provide for written agreements; to provide for civil penalties; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Chapter 69 of Title 51 of the Louisiana Revised Statutes of 1950,
8 comprised of R.S. 51:3291, is hereby enacted to read as follows:

9 CHAPTER 69. RESTAURANT RESERVATION ANTI-PIRACY

10 §3291. Restaurant reservation anti-piracy

11 A. For the purposes of this Section, the following terms have the following
12 meanings:

13 (1) "Food service establishment" means a restaurant, cafeteria, lunch room,
14 food stand, saloon, tavern, bar, lounge, or other similar facility operated as an
15 enterprise engaged in the business of selling food to the public.

16 (2) "Third-party restaurant reservation platform" means any website, mobile
17 application, or other internet service that meets both of the following:

18 (a) Offers or arranges for reserving on-premises service for a customer at a
19 food service establishment.

1 (b) Is owned and operated by a person other than the person who owns the
2 food service establishment.

3 B. A third-party restaurant reservation platform shall not list, advertise,
4 promote, or sell reservations for a food service establishment through the website,
5 mobile application, or other internet service of such third-party restaurant reservation
6 platform if the platform has no contractual relationship or agreement with the food
7 service establishment, or its contractual designee, to offer or arrange for reservations
8 for on-premises service at such food service establishment.

9 C.(1) The attorney general may impose a civil penalty on a third-party
10 restaurant reservation platform in an amount not to exceed one thousand dollars for
11 each violation of this Section. Violations of this Subsection accrue on a daily basis
12 for each day and for each food service establishment in which there has been a
13 violation of this Section.

14 (2) All monies received from the payment of a civil penalty imposed and
15 collected pursuant to the provisions of this Subsection shall be used by the attorney
16 general to promote consumer protection and education.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 90 Original

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Hebert

Abstract: Provides relative to preventing restaurant reservation fraud.

Proposed law defines "food service establishment" and "third-party restaurant reservation platform".

Proposed law provides for what a third-party restaurant reservation platform shall not do unless there is a written agreement between that third-party restaurant reservation platform and the food service establishment authorizing it to do so.

Proposed law provides that the attorney general may impose a civil penalty not to exceed \$1000 for each violation of proposed law. Proposed law provides that civil penalties collected under proposed law shall be used to promote consumer protection and education.

(Adds R.S. 51:3291)