

118TH CONGRESS  
2D SESSION

# H. R. 9601

To prohibit third-party restaurant reservation services from offering or arranging unauthorized reservations for food service establishments, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 16, 2024

Mr. D'ESPOSITO (for himself and Mr. GOTTHEIMER) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To prohibit third-party restaurant reservation services from offering or arranging unauthorized reservations for food service establishments, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Supporting Equal Ac-  
5 cess to Tables Act of 2024” or the “SEAT Act of 2024”.

6 **SEC. 2. LIMITATION ON THIRD-PARTY RESTAURANT RES-**  
7 **ERVATION SERVICES.**

8 (a) REQUIREMENT.—A provider of a third-party res-  
9 taurant reservation service may only list, promote, sell, or

1 otherwise advertise or make available a reservation for a  
2 food service establishment if there is a written agreement  
3 between such service and such establishment that permits  
4 such service to list, promote, sell, or otherwise advertise  
5 or make available such reservation.

6 (b) ENFORCEMENT BY COMMISSION.—

7 (1) UNFAIR OR DECEPTIVE ACTS OR PRAC-  
8 TICES.—A violation of this section shall be treated  
9 as a violation of a regulation under section  
10 18(a)(1)(B) of the Federal Trade Commission Act  
11 (15 U.S.C. 57a(a)(1)(B)) regarding unfair or decep-  
12 tive acts or practices.

13 (2) POWERS OF COMMISSION.—The Commis-  
14 sion shall enforce this section in the same manner,  
15 by the same means, and with the same jurisdiction,  
16 powers, and duties as though all applicable terms  
17 and provisions of the Federal Trade Commission Act  
18 (15 U.S.C. 41 et seq.) were incorporated into and  
19 made a part of this section. Any person who violates  
20 this section shall be subject to the penalties and en-  
21 titled to the privileges and immunities provided in  
22 the Federal Trade Commission Act.

23 (c) APPLICABILITY.—This section shall apply to a  
24 provider of a third-party restaurant reservation service be-

1 ginning on the date that is 180 days after the date of  
2 the enactment of this Act.

3 (d) INDEMNIFICATION PROVISIONS.—An agreement  
4 entered into pursuant to subsection (a) may not include  
5 a provision that requires a food service establishment to  
6 indemnify a third-party restaurant reservation service, any  
7 independent contractor acting on behalf of such third-  
8 party restaurant reservation service, or any registered  
9 agent of such third-party restaurant reservation service  
10 for any damages or harm by an act or omission initiated  
11 by the third-party restaurant reservation service. If an  
12 agreement entered into pursuant to subsection (a) con-  
13 tains such a provision, such provision shall be deemed void  
14 and unenforceable.

15 (e) DEFINITIONS.—In this section:

16 (1) COMMISSION.—The term “Commission”  
17 means the Federal Trade Commission.

18 (2) FOOD SERVICE ESTABLISHMENT.—The  
19 term “food service establishment”—

20 (A) means a restaurant, food stand, food  
21 truck, food cart, saloon, inn, tavern, bar,  
22 lounge, brewpub, tasting room, taproom, li-  
23 censed facility or premise of a beverage alcohol  
24 producer where the public may taste, sample, or  
25 purchase products, or other similar place of

1 business in or at which the public or patrons  
2 assemble for the primary purpose of being  
3 served food or drink; and

4 (B) includes an entity described in sub-  
5 paragraph (A) that is located in a larger estab-  
6 lishment or complex, including an airport ter-  
7 minal or other transportation facility, amuse-  
8 ment park, sports stadium, entertainment  
9 venue, hotel or hotel complex, or retail store or  
10 retail complex.

11 (3) THIRD-PARTY RESTAURANT RESERVATION  
12 SERVICE.—The term “third-party restaurant res-  
13 ervation service” means any website, mobile applica-  
14 tion, or other internet-based service that—

15 (A) lists, promotes, sells, or otherwise ad-  
16 vertises or makes available reservations for on-  
17 premises service for a customer at a food serv-  
18 ice establishment; and

19 (B) is provided by a person other than the  
20 person who provides such food service establish-  
21 ment.

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