

STATEMENT TO

ASSEMBLY, No. 3892

with Assembly Floor Amendments
(Proposed by Assemblyman MORIARTY)

ADOPTED: JUNE 16, 2022

Assembly Bill No. 3892 requires an online cancellation option for subscriptions and gym memberships that are entered into online.

The Assembly amendments clarify that a consumer who enters into a subscription online is to be provided with an online option to cancel the automatic renewal of the subscription service or the health club services contract.

In addition, the Assembly amendments provide that a health club services contract may be cancelled before midnight of the third operating day by telephone, regular mail, or online, if the health club services contract was entered into online. The Assembly amendments also provide that upon the death or disability of the consumer or upon the consumer's change of personal residence to a location more than 25 miles from the health club, the consumer may cancel the contract by telephone, regular mail, or online. Under current law, a consumer is required to cancel a health club services contract by written notice sent by registered or certified mail or by personal delivery to the health club facility.

Finally, the Assembly amendments make certain clarifying and technical changes.