

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, Nos. 1193 and 1197**

STATE OF NEW JERSEY

DATED: MARCH 16, 2026

The Senate Commerce Committee reports favorably Senate Committee Substitute for Senate Bill Nos. 1193 and 1197.

This substitute prohibits the unauthorized arrangement by a third-party restaurant reservation service to advertise, list, promote, or sell reservations for a food service establishment without a written agreement between the third-party restaurant reservation service and the food service establishment. The substitute defines “food service establishment” as a place where food is provided for individual portion service directly to the consumer whether that food is provided free of charge or sold, and whether consumption occurs on or off the premises or is provided from a pushcart, stand, or vehicle. “Third-party restaurant reservation service” is defined as a website, mobile application, or other internet service that: offers or arranges for reserving on-premises service for a customer at a food service establishment; and that is owned and operated by a person other than the person who owns the food service establishment.

The substitute provides that any person who violates its provisions is subject to a civil penalty that will not exceed \$500 for each violation, and that a violation by a third-party restaurant reservation service will accrue on a daily basis for each day and for each food service establishment with respect to which a violation of the substitute was committed. Any person charged fees by a third-party restaurant reservation service for a reservation advertised, listed, promoted, or sold in violation of the substitute, or food service establishment which a third-party restaurant reservation service advertised, listed, promoted, or sold a reservation in violation of the substitute’s provisions, may bring a civil action in the Superior Court for:

(1) injunctive relief to restrain or enjoin any activity in violation of the substitute;

(2) in the case of a person, actual damages not to exceed the total fees collected by the third-party restaurant reservation service in violation of the bill or, in the case of a food service establishment, actual damages as a result of reservations made by the third-party reservation service that remained unfilled;

(3) attorney's fees and costs; and

(4) any other remedy as the court may deem appropriate.

The substitute provides that any action alleging a violation is required to be brought within one year after the alleged violation of the substitute occurs.

This substitute is modeled after legislation enacted by Illinois prohibiting a third-party restaurant reservation service from listing, advertising, promoting, or selling reservations for a food service establishment without a written agreement between the third-party restaurant reservation service and the food service establishment.