



SENATE BILL 2363

By Massey

AN ACT to amend Tennessee Code Annotated, Title 47,
Chapter 18, relative to notice of fees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, Part 1, is amended by adding the following as a new section:

47-18-139.

(a) As used in this section:

(1) "Ancillary hotel services" or "services" means supplementary, nonroom products and offerings by a hotel, including parking, breakfast or other food or dining services, spa treatments, and early check-ins or late check-outs;

(2) "Hotel" means any structure, or any portion of any structure, that is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist court, tourist camp, tourist cabin, motel, short-term rental unit, or any place in which rooms, lodgings, or accommodations are furnished to transients for a consideration;

(3) "Occupancy" means the use or possession, or the right to the use or possession, of any room, lodgings, or accommodations in a hotel for a period of less than thirty (30) continuous days; and

(4) "Third-party booking site":

(A) Means a website or mobile application that allows a consumer to compare prices and booking options for multiple hotels located in this state;

(B) Includes a website that aggregates information from multiple websites into one (1) website and online travel agencies; and

(C) Does not include a hotel's website that only provides information about bookings and services for the hotel.

(b) If a third-party booking site includes information about ancillary hotel services available at a hotel and access to the services requires payment of additional fees by the consumer beyond the cost of the room, then the third-party booking site must disclose:

- (1) That there are additional fees required to access such services; and
- (2) Which services require such additional fees.

(c) A violation of this section constitutes a violation of the Tennessee Consumer Protection Act of 1977, compiled in this part. A violation of this section constitutes an unfair or deceptive act or practice affecting trade or commerce and is subject to the penalties and remedies as provided in the Tennessee Consumer Protection Act of 1977.

SECTION 2. Tennessee Code Annotated, Section 47-18,104(b), is amended by adding the following as a new subdivision:

() Failing to disclose additional fees required to access ancillary hotel services at a hotel listed by a third-party booking site, in violation of § 47-18-139;

SECTION 3. This act takes effect July 1, 2026, the public welfare requiring it, and applies to conduct occurring on or after that date.

Amendment No. 1 to SB2363

Bailey
Signature of Sponsor

AMEND Senate Bill No. 2363

House Bill No. 2180*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, Part 1, is amended by adding the following as a new section:

47-18-139.

(a) As used in this section:

(1) "Ancillary hotel services" or "services" means supplementary, nonroom products and offerings by a hotel, including parking, breakfast or other food or dining services, spa treatments, and early check-ins or late check-outs;

(2) "Hotel":

(A) Means any structure, or any portion of any structure, that is occupied or intended or designed for occupancy by transients for dwelling, lodging, or sleeping purposes, and includes any hotel, inn, tourist court, tourist camp, tourist cabin, motel, or any place in which rooms, lodgings, or accommodations are furnished to transients for a consideration; and

(B) Does not include a short-term rental unit, as defined in § 13-7-602;

(3) "Hotel booking site" means a hotel's website that only provides information about bookings and services for the hotel;

(4) "Occupancy" means the use or possession, or the right to the use or possession, of any room, lodgings, or accommodations in a hotel for a period of less than thirty (30) continuous days; and

(5) "Third-party booking site":

(A) Means a website or mobile application that allows a consumer to compare prices and booking options for multiple hotels located in this state; and

(B) Includes a website that aggregates information from multiple websites into one (1) website and online travel agencies.

(b) If a hotel booking site or third-party booking site includes information about ancillary hotel services available at a hotel located in this state and access to the services requires payment of additional fees by the consumer beyond the cost of the room, then the hotel booking site or third-party booking site must disclose:

(1) That there are additional fees required to access such services; and

(2) Which services require such additional fees.

(c) If a hotel booking site or third-party booking site includes information about ancillary hotel services available at a hotel located in this state and the cost of the room is higher relative to the cost of other rooms at the hotel due to the cost including access to some, or all, of the services, then the hotel booking site or third-party booking site must disclose:

(1) That there may be additional fees required to access such services;

and

(2) Which services may require such additional fees.

(d) A violation of this section constitutes a violation of the Tennessee Consumer Protection Act of 1977, compiled in this part. A violation of this section constitutes an unfair or deceptive act or practice affecting trade or commerce and is subject to the penalties and remedies as provided in the Tennessee Consumer Protection Act of 1977.

(e) It is not a violation of this section if a third-party booking site reports the information provided by a hotel and the hotel's information does not include the information listed in subdivisions (b)(1)-(2) or (c)(1)-(2).

SECTION 2. Tennessee Code Annotated, Section 47-18-104(b), is amended by adding the following as a new subdivision:

() Failing to disclose additional fees required to access ancillary hotel services at a hotel listed by a hotel booking site or third-party booking site, in violation of § 47-18-139;

SECTION 3. This act takes effect July 1, 2026, the public welfare requiring it, and applies to conduct occurring on or after that date.