

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Automatic subscription renewal and cancellation.

Sponsored by: Select Committee on Blockchain, Financial
Technology and Digital Innovation Technology

A BILL

for

1 AN ACT relating to consumer protection; specifying
2 requirements for the automatic renewal and cancellation of
3 subscriptions; providing exceptions; providing a penalty;
4 providing definitions; specifying applicability; and
5 providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 *****
10 *****

11 **STAFF COMMENT**

12 The Select Committee may wish to consider whether to
13 include provisions for trial period agreements. For
14 example, Colorado requires sellers to include a clear and
15 conspicuous explanation of the price that will be charged
16 and any further purchase obligations that will be imposed

1 on the consumer after the trial period ends and requires a
2 simple cancellation mechanism for trial period agreements
3 (Colo. Rev. Stat. § 6-1-732).

4 *****
5 *****
6

7 **Section 1.** W.S. 40-12-801 and 40-12-802 are created
8 to read:

9

10 ARTICLE 8

11 AUTOMATIC SUBSCRIPTION RENEWALS

12

13 **40-12-801. Definitions.**

14

15 (a) As used in this article:

16

17 (i) "Agreement" means a written agreement between
18 a consumer and a seller for the sale or distribution of
19 goods or services where the person receiving the goods or
20 services is the consumer;

21

22 (ii) "Automatic renewal" means a provision under
23 an agreement which is automatically renewed at the end of a
24 definite term for a subsequent term or on a continuous or
25 recurring basis;

1

2 (iii) "Clear and conspicuous" means in a larger
3 type than the surrounding text, in contrasting type, font
4 or color to the surrounding text of the same size or set
5 off from the surrounding text of the same size by symbols
6 or other marks in a manner that clearly calls attention to
7 the language and makes the language readily apparent. In
8 the case of audio disclosure, "clear and conspicuous" means
9 in a volume and cadence sufficient to be readily audible
10 and understandable.

11

12 **40-12-802. Automatic subscription renewals;**
13 **requirements; exceptions; penalty.**

14

15 (a) No agreement shall include an automatic renewal
16 provision unless the consumer provides affirmative consent
17 and the seller:

18

19 (i) Presents the terms of the automatic renewal
20 in a clear and conspicuous manner before the consumer
21 provides affirmative consent;

22

1 (ii) Provides a simple mechanism for canceling
2 the automatic renewal agreement that is at least as easy to
3 use as the mechanism the consumer used to provide
4 affirmative consent to the agreement; and

5
6 (iii) Provides an acknowledgement that includes
7 the terms of the automatic renewal, the cancellation policy
8 and the information regarding how to cancel in a manner
9 that is capable of being retained by the consumer.

10
11 (b) If there is a material change in terms of the
12 automatic renewal agreement, the seller shall provide the
13 consumer, in a manner that is capable of being retained by
14 the consumer, notice not later than ten (10) days after the
15 material change is made. The notice required under this
16 subsection shall be clear and conspicuous, identify the
17 material change and provide information regarding canceling
18 the agreement including the simple mechanism of
19 cancellation in accordance with paragraph (a)(ii) of this
20 section. The cancellation mechanism shall be made available
21 when the material change is made.

22

1 (c) Each seller that provides goods or services
2 pursuant to an agreement that contains an automatic renewal
3 provision for a renewal term of not less than six (6)
4 months shall provide written notice to the consumer not
5 less than thirty (30) days but not more than sixty (60)
6 days before the expiration of each automatic renewal term.
7 The notice required under this subsection shall clearly and
8 conspicuously:

9

10 (i) Describe the goods or services to be
11 delivered;

12

13 (ii) State the price of the goods or services;

14

15 (iii) Inform the consumer that the goods or
16 services will be provided and the agreement will
17 automatically renew or continue unless the consumer cancels
18 the agreement; and

19

20 (iv) Provide the consumer with a simple mechanism
21 of cancellation in accordance with paragraph (a)(ii) of
22 this section.

23

STAFF COMMENT

The Select Committee may wish to consider amending the notice requirement in subsection (c) of this section. As currently drafted, notice is required for agreements with a term of not less than 6 months. This is similar to North Dakota's requirement.

However, Idaho and California require notice for agreements that are for a term of 12 months or more. Colorado requires notice for all agreements but the timeline for providing notice varies depending on if the agreement is for a term of less than 12 months or more than 12 months.

(d) This section shall not apply to goods or services sold or distributed by:

(i) A person regulated by the Wyoming department of insurance; and

(ii) A financial institution as defined by W.S. 13-1-101(a)(ix).

(e) A person who violates subsections (a) through (c) of this section commits an unlawful deceptive trade practice under W.S. 40-12-105(a)(xviii).

1 **Section 2.** W.S. 40-12-105(a) by creating a new
2 paragraph (xviii) is amended to read:

3

4 40-12-105. Unlawful practices.

5

6 (a) A person engages in a deceptive trade practice
7 unlawful under this act when, in the course of his business
8 and in connection with a consumer transaction, he
9 knowingly:

10

11 (xviii) Violates W.S. 40-12-802.

12

13 **Section 3.** This act shall apply to agreements
14 containing an automatic renewal provision for the sale or
15 distribution of goods or services entered into or renewed
16 on or after July 1, 2026.

17

18 **Section 4.** This act is effective July 1, 2026.

19

20 (END)