

537--B

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to establishing fees for mobile food vendors; and providing for the repeal of such provisions upon the expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The general business law is amended by adding a new section
2 391-s to read as follows:
3 S 391-S. MOBILE FOOD VENDORS. 1. MUNICIPALITIES LOCATED WITHIN THE
4 COUNTY OF ERIE MAY NOT CHARGE A MOBILE FOOD VENDOR AN ANNUAL FEE OF MORE
5 THAN TWO HUNDRED FIFTY DOLLARS PER MOBILE VENDING VEHICLE.
6 2. FOR PURPOSES OF THIS SECTION, A MOBILE FOOD VENDOR IS ANY PERSON
7 WHO HAWKS, PEDDLES, SELLS, OR OFFERS FOOD FOR SALE AT RETAIL IN ANY
8 PUBLIC SPACE AND SUCH FOOD ITEMS ARE PRESENTED TO THE PUBLIC IN A MOBILE
9 VEHICLE, SUCH AS, BUT NOT LIMITED TO, A PUSH CART, CAR, VAN, OR TRUCK.
10 3. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO ANY PERSON WHO IS
11 SOLELY DELIVERING FOOD THAT HAS BEEN PREVIOUSLY ORDERED AND PURCHASED
12 FROM AN ESTABLISHED RETAIL LOCATION.
13 S 2. This act shall take effect immediately and shall expire and be
14 deemed repealed two years after such effective date.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD03948-04-3