

# STATE OF NEW YORK

10309

## IN ASSEMBLY

February 20, 2026

Introduced by M. of A. ANDERSON -- read once and referred to the Committee on Health

AN ACT to amend the public health law and the state finance law, in relation to establishing the "responsible fast food and public health act"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "responsible fast food and public health act".

3 § 2. Article 2 of the public health law is amended by adding a new  
4 title 5-A to be read as follows:

### TITLE 5-A

#### FAST FOOD RESPONSIBILITY ACT

#### Section 264. Definitions.

##### 264-a. Implementation.

9 § 264. Definitions. The following terms shall have the following mean-  
10 ings for the purposes of this section:

11 1. "Fast food chain" shall mean a set of restaurants consisting of  
12 twenty-five or more establishments nationally that either share a common  
13 brand or are characterized by standardized options for decor, marketing,  
14 packaging, products, and services.

15 2. "Fast food restaurant" shall mean any establishment in the state  
16 that is part of a fast food chain and that, in its regular business  
17 operations, primarily provides food or beverages according to all of the  
18 following:

19 (a) for immediate consumption, either on or off the premises;

20 (b) to customers who order or select items and pay before eating;

21 (c) with items prepared in advance, including items that may be  
22 prepared in bulk and kept hot, or with items prepared or heated quickly;  
23 and

24 (d) with limited or no table service. For the purposes of this  
25 section, "table service" shall not include orders placed by a customer  
26 on an electronic device.

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

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1 3. "Franchise" shall have the same meaning as set forth in section six  
2 hundred eighty-one of the general business law.

3 § 264-a. Implementation. 1. Any fast food chain with ten or more fast  
4 food restaurants operating in the state of New York, whether operated  
5 directly or through franchise agreements, shall be assessed an annual  
6 public health fee in accordance with the following schedule:

7 (a) ten to twenty-four locations within the state: fifteen thousand  
8 dollars;

9 (b) twenty-five to ninety-nine locations within the state: twenty-five  
10 thousand dollars; or

11 (c) one hundred or more locations within the state: forty thousand  
12 dollars.

13 2. Such public health fees shall be collected by the department annu-  
14 ally on a date to be determined by such department and deposited into  
15 the childhood nutrition and obesity prevention fund established under  
16 section ninety-nine-uu of the state finance law.

17 § 3. The state finance law is amended by adding a new section 99-uu to  
18 read as follows:

19 § 99-uu. Childhood nutrition and obesity prevention fund. 1. There is  
20 hereby established in the joint custody of the state comptroller and the  
21 commissioner of taxation and finance a special fund to be known as the  
22 "childhood nutrition and obesity prevention fund".

23 2. Such fund shall consist of monies received in accordance with  
24 section two hundred sixty-four-a of the public health law and all other  
25 monies appropriated, credited, or transferred thereto from any other  
26 fund or source pursuant to law. Nothing contained in this section shall  
27 prevent the state from receiving grants, gifts or bequests for the  
28 purposes of the fund as defined in this section and depositing them into  
29 the fund according to law.

30 3. (a) Monies of the fund shall be made available to the office of  
31 temporary and disability assistance to fund:

32 (i) nutrition education and food literacy programming for children and  
33 families;

34 (ii) early childhood obesity prevention initiatives; and

35 (iii) supplemental nutrition assistance program (SNAP) related educa-  
36 tional programs.

37 (b) Such funds shall not replace existing appropriations but shall be  
38 considered additive for the purpose of enhanced outreach.

39 4. The office of temporary and disability assistance shall provide an  
40 annual summary which shall include the amount of funds received in the  
41 preceding year and how such funds were allocated, including specific  
42 programmatic descriptions. Such summary shall be published on its  
43 website and updated annually.

44 § 4. This act shall take effect on the ninetieth day after it shall  
45 have become a law. Effective immediately, the addition, amendment and/or  
46 repeal of any rule or regulation necessary for the implementation of  
47 this act on its effective date are authorized to be made and completed  
48 on or before such effective date.