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:

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

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

TITLE 5-A

FAST FOOD RESPONSIBILITY ACT

Section 264. Definitions.

264-a. Implementation.

§ 264. Definitions. The following terms shall have the following meanings for the purposes of this section:

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

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

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

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

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

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

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

LBD14883-01-6

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

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

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

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

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

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

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

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

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

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

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

(ii) early childhood obesity prevention initiatives; and

(iii) supplemental nutrition assistance program (SNAP) related educational programs.

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

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

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