

STATE OF NEW YORK

1096--A

2025-2026 Regular Sessions

IN ASSEMBLY

January 8, 2025

Introduced by M. of A. MAGNARELLI, HEVESI, EPSTEIN, ZINERMAN, RAGA --
Multi-Sponsored by -- M. of A. DAVILA -- read once and referred to the
Committee on Consumer Affairs and Protection -- committee discharged,
bill amended, ordered reprinted as amended and recommitted to said
committee

AN ACT to amend the general business law, in relation to the disclosure
of pricing changes for online grocery delivery and online pick-up
services

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

1 Section 1. The general business law is amended by adding a new article
2 38-C to read as follows:

ARTICLE 38-C

ONLINE SALE OF GROCERIES

Section 840. Definitions.

841. Disclosure of pricing changes for online grocery delivery and online pick-up services.

8 § 840. Definitions. As used in this article, the following terms shall
9 have the following meanings:

10 (a) "Grocery store" or "food retailer" shall mean a supermarket,
11 grocery store or other retailer that operates on a self-service basis
12 and sell a minimum percentage, as determined by the secretary of state,
13 of produce, meat, poultry, seafood, baked goods and/or dairy products.

14 (b) "Third-party delivery platform" shall mean any website, mobile
15 application or other internet service that offers or arranges the sale,
16 purchase, delivery or pickup of any products from a grocery store or
17 food retailer online.

18 § 841. Disclosure of pricing changes for online grocery delivery and
19 online pick-up services. 1. Any grocery store, food retailer, or third-
20 party delivery platform shall clearly and conspicuously state any
21 difference in the price of a product being purchased or ordered online

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

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1 relative to the price of the product when it is purchased or offered
2 in-store on the day of the online order. The difference in purchase
3 price for each product shall be disclosed on the website or mobile
4 application page and at the time of the online order or purchase. If the
5 grocery store, food retailer, or the third-party delivery platform
6 charges an increased price for all such groceries offered online, not
7 differentiated by product, it shall clearly and conspicuously state the
8 percentage or amount of the increase on the front page of its website
9 and/or mobile application.

10 2. In addition to any other penalties provided by law, a violation of
11 the provisions of this section shall constitute an offense punishable by
12 a fine of not more than one hundred dollars for the first offense and
13 not more than two hundred fifty dollars for a second or each subsequent
14 offense.

15 3. The secretary of state shall promulgate such rules and regulations
16 as are necessary and appropriate to carry out the provisions of this
17 section.

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