

# STATE OF NEW YORK

8479

2025-2026 Regular Sessions

## IN SENATE

August 15, 2025

Introduced by Sen. BASKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the general business law, in relation to requiring certain entertainment and sports venues constructed or operating under public financial benefit to implement fan-friendly concession pricing policies

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 "fair concession pricing act".

3 § 2. Legislative findings and intent. The legislature finds and  
4 declares that entertainment venues and sports stadiums receiving public  
5 subsidies, including but not limited to taxpayer-funded construction or  
6 tax exemptions, have a civic responsibility to ensure affordability and  
7 accessibility for the general public. Excessive food and beverage pric-  
8 ing at these venues limits access and undermines the public benefit  
9 intended through such subsidies. This act seeks to establish reasonable  
10 pricing policies aligned with market-based "street pricing" standards to  
11 protect consumers and promote fairness.

12 § 3. The general business law is amended by adding a new section 397-c  
13 to read as follows:

14 § 397-c. Fan-friendly concession pricing. 1. For the purposes of this  
15 section, the following terms shall have the following meanings:

16 (a) "entertainment facility" shall mean any publicly or privately  
17 owned arena, stadium, amphitheater, or similar venue within the state  
18 that:

19 (i) has a seating capacity of two thousand five hundred persons or  
20 more; and

21 (ii) is primarily used for entertainment or professional sporting  
22 events;

23 (b) "public financial benefit" shall include, but not be limited to:

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

LBD13390-01-5

1 (i) the receipt of any taxpayer funds for construction, renovation, or  
2 operation; or

3 (ii) full or partial exemption from state, local, or municipal proper-  
4 ty taxes, sales taxes, or other levies; and

5 (c) "fan-friendly concession pricing" or "street pricing model" shall  
6 mean the pricing of food and non-alcoholic beverages at rates no more  
7 than twenty percent above the average retail price of such items at  
8 similar non-venue commercial establishments within a ten-mile radius.

9 2. (a) Any entertainment facility that receives or has received a  
10 public financial benefit shall be required to adopt a fan-friendly  
11 concession pricing policy.

12 (b) Such pricing policy shall apply to all food and non-alcoholic  
13 beverages sold within the facility during public events.

14 (c) Entertainment facilities shall submit an annual compliance report  
15 to the department of state, detailing:

16 (i) average concession prices;

17 (ii) comparable local market prices; and

18 (iii) evidence of compliance with the street pricing model.

19 (d) The secretary of state shall be authorized to conduct random  
20 audits and enforce the provisions of this section.

21 3. (a) Whenever there shall be a violation of this section, an appli-  
22 cation may be made by the attorney general in the name of the people of  
23 the state of New York, to a court or justice having jurisdiction by a  
24 special proceeding to issue an injunction, and upon notice to the  
25 defendant of not less than five days, to enjoin and restrain the contin-  
26 uance of such violation; and if it shall appear to the satisfaction of  
27 the court or justice that the defendant has, in fact, violated this  
28 section, an injunction may be issued by the court or justice, enjoining  
29 and restraining any further violations, without requiring proof that any  
30 person has, in fact, been injured or damaged thereby. Whenever a court  
31 shall determine that a violation of this section has occurred, the court  
32 may impose a civil penalty of not more than ten thousand dollars for  
33 each event during which a violation occurs.

34 (b) Repeated violations may result in the suspension of applicable tax  
35 exemptions or a requirement to repay a portion of previously granted  
36 public funds.

37 § 4. This act shall take effect on the one hundred eightieth day after  
38 it shall have become a law. Effective immediately, the addition, amend-  
39 ment and/or repeal of any rule or regulation necessary for the implemen-  
40 tation of this act on its effective date are authorized to be made and  
41 completed on or before such effective date.