

# STATE OF NEW YORK

8855--E

2017-2018 Regular Sessions

## IN ASSEMBLY

December 22, 2017

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the Committee on Cities -- recommitted to the Committee on Cities in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the administrative code of the city of New York and the general municipal law, in relation to requiring restaurants that offer online delivery services to post their most recent sanitary inspection letter grade on their website

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

1 Section 1. The administrative code of the city of New York is amended  
2 by adding a new section 17-195.1 to read as follows:

3 § 17-195.1 Posting of sanitary inspection grade. a. Definition.  
4 "Internet-based food delivery service provider" shall mean any food  
5 service establishment as defined in section 81.03 of the health code of  
6 the city of New York that accepts food orders for delivery from custom-  
7 ers via the internet, or any third-party website that accepts food  
8 orders for delivery from customers via the internet.

9 b. Every internet-based food delivery service provider shall conspicu-  
10 ously post on their website the most current sanitary inspection letter  
11 grade of any food service establishment, pursuant to section 81.51 of  
12 the health code of the city of New York, for which food delivery  
13 services are provided to customers. Food service establishments shall

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

LBD11238-15-8

1 be responsible for providing internet-based food delivery service  
2 providers with the most current sanitary inspection letter grade upon  
3 receipt of such letter grade following sanitary inspection.

4 c. Any internet-based food delivery service provider that violates  
5 subdivision b of this section or any of the rules promulgated thereunder  
6 shall be liable for a civil penalty not to exceed one hundred dollars  
7 for each violation.

8 § 2. The general municipal law is amended by adding a new section  
9 139-e to read as follows:

10 § 139-e. Posting of sanitary inspection grade. 1. As used in this  
11 section "internet-based food delivery service provider" shall mean any  
12 food service establishment that accepts food orders for delivery from  
13 customers via the internet, or any third party website that accepts food  
14 orders for delivery from customers via the internet.

15 2. In any municipal corporation that has adopted a local law or rule  
16 requiring the posting of sanitary inspection results, every internet-  
17 based food delivery service provider shall conspicuously post on their  
18 website the most current sanitary inspection results of any food service  
19 establishment located in such municipal corporation for which food  
20 delivery services are provided to customers. Food service establish-  
21 ments shall be responsible for providing internet-based food delivery  
22 service providers with the most current sanitary inspection letter grade  
23 upon receipt of such letter grade following sanitary inspection.

24 § 3. This act shall take effect on the one hundred eightieth day after  
25 it shall have become a law.