STATE OF NEW YORK

3640

2021-2022 Regular Sessions

IN ASSEMBLY

January 28, 2021

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the Committee on Cities

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:

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

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

b. Every internet-based food delivery service provider shall conspicuously post on their website the most current sanitary inspection letter grade of any food service establishment, pursuant to section 81.51 of the health code of the city of New York, for which food delivery services are provided to customers. Food service establishments shall be responsible for providing internet-based food delivery service providers with the most current sanitary inspection letter grade upon receipt of such letter grade following sanitary inspection.

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

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

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

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

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

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