STATE OF NEW YORK

28--B

2023-2024 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 4, 2023

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- 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

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 the web address of the food establishments lookup tool to view recent sanitary inspections

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 mobile application, or any third-party website or mobile application 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 web address of the city of New York's health department food establishments lookup tool, which lists 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.

c. Any internet-based food delivery service provider that violates subdivision b of this section or any of the rules promulgated thereunder

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

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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:

§ 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 mobile application, or any third party website that accepts food orders for delivery from customers via the internet or mobile application.

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 web address of the municipal or state health department food establishments lookup tool, which lists 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.

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