

# STATE OF NEW YORK

28--C

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 -- reported and referred to the Committee on Codes -- reported and referred to the Committee on Ways and Means -- 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, in relation to requiring internet-based food delivery service providers to post the hyperlink to the city of New York's health department food lookup tool to view recent sanitary inspections; and to amend the general municipal law, in relation to requiring internet-based food delivery service providers to post the hyperlink to the municipal or state health department food service establishment inspection data to view recent sanitary inspections

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 mobile application, or any third-party website  
8 or mobile application that accepts food orders for delivery from custom-  
9 ers via the internet.

10 b. Every internet-based food delivery service provider shall conspicu-  
11 ously post on their website or mobile application a hyperlink to the

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

LBD01286-08-4

1 city of New York's health department food establishments lookup tool,  
2 which lists the most current sanitary inspection letter grade of any  
3 food service establishment, pursuant to section 81.51 of the health code  
4 of the city of New York, for which food delivery services are provided  
5 to customers.

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

10 § 2. The general municipal law is amended by adding a new section  
11 139-e to read as follows:

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

18 2. In any municipal corporation that has adopted a local law or rule  
19 requiring the posting of sanitary inspection results, every internet-  
20 based food delivery service provider shall conspicuously post on their  
21 website or mobile application a hyperlink to the municipal or state  
22 health department food establishments lookup tool, which lists the most  
23 current sanitary inspection results of any food service establishment  
24 located in such municipal corporation for which food delivery services  
25 are provided to customers.

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