

STATE OF NEW YORK

9924--A

IN SENATE

October 4, 2024

Introduced by Sen. CHU -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to assault on a food delivery person

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

1 Section 1. The penal law is amended by adding a new section 120.19-a
2 to read as follows:

3 § 120.19-a Assault on a food delivery person.

4 1. A person is guilty of assault on a food delivery person when such
5 person causes physical injury to such food delivery person during the
6 performance of their food delivery responsibilities; or

7 2. Strikes, shoves, kicks, or otherwise subjects a food delivery
8 person to physical contact, which includes spitting on such food deliv-
9 ery person, and such food delivery person is on-duty.

10 3. For purposes of this section:

11 (a) "food delivery person" shall mean a person employed by a restau-
12 rant, or put into service by a restaurant, retail food store licensed by
13 the department of agriculture and markets, or a third party vendor, to
14 deliver food or other goods pursuant to an order placed by a customer.

15 (b) "restaurant" means any coffee shop, cafeteria, luncheonette, sand-
16 wich stand, diner, short order cafe, fast food establishment, soda foun-
17 tain, bubble tea shop, food stand, food truck, and any other eating or
18 beverage establishment which provides food delivery service as an adver-
19 tised part of its business operation or contracts food delivery services
20 through a third party vendor.

21 Assault on a food delivery person is a class E felony.

22 § 2. This act shall take effect on the ninetieth day after it shall
23 have become a law.

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

LBD09445-06-4