

STATE OF NEW YORK

10188

IN ASSEMBLY

February 12, 2026

Introduced by M. of A. MAGNARELLI -- read once and referred to the
Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to the disclosure
of pricing changes for online grocery delivery and online pick-up
services

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

1 Section 1. The general business law is amended by adding a new article
2 38-C to read as follows:

ARTICLE 38-C

ONLINE SALE OF GROCERIES

Section 840. Definitions.

841. Disclosure of pricing policy.

7 § 840. Definitions. As used in this article, the following terms shall
8 have the following meanings:

9 (a) "Food retailer" shall mean a supermarket, grocery store or other
10 retailer that operates on a self-service basis and sell a minimum
11 percentage, as determined by the secretary of state, of produce, meat,
12 poultry, seafood, baked goods and/or dairy products.

13 (b) "In store price" shall mean the price charged to the consumer for
14 a particular product when purchased within the grocery store's physical
15 store location.

16 (c) "Online price" shall mean the price charged to the consumer for a
17 product purchased or ordered through any website, mobile application or
18 other internet service.

19 (d) "Third-party delivery platform" shall mean any website, mobile
20 application or other internet service that offers or arranges the sale,
21 purchase, delivery or pickup of any products from a grocery store or
22 food retailer online.

23 § 841. Disclosure of pricing policy. 1. Any food retailer, or third-
24 party delivery platform shall clearly and conspicuously provide a pric-
25 ing policy that discloses whether the online price of products is the
26 same as the in store price, or if it is not the same. The disclosure
27 shall indicate whether the online price is higher or lower than the in

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

LBD01303-06-6

1 store price. For third-party delivery platforms, this disclosure shall
2 use the prices most recently provided to it by the food retailer. If
3 food retailers listed on a third-party delivery platform have different
4 pricing policies, a third-party delivery platform may satisfy the
5 requirements of this section by prominently including a pricing policy
6 disclosure on the primary landing page for that food retailer. If a food
7 retailer has a website, the third-party delivery platform must post a
8 link to the website on their platform in a manner that is easily notice-
9 able to the consumer.

10 2. In addition to any other penalties provided by law, a violation of
11 the provisions of this section shall constitute an offense punishable by
12 a fine of not more than one hundred dollars for the first offense and
13 not more than two hundred fifty dollars for a second or each subsequent
14 offense.

15 3. The secretary of state shall promulgate such rules and regulations
16 as are necessary and appropriate to carry out the provisions of this
17 section.

18 § 2. This act shall take effect on the ninetieth day after it shall
19 have become a law. Effective immediately, the addition, amendment and/or
20 repeal of any rule or regulation necessary for the implementation of
21 this act on its effective date are authorized to be made and completed
22 on or before such effective date.