STATE OF NEW YORK

10188--A

IN ASSEMBLY

February 12, 2026

Introduced by M. of A. MAGNARELLI, LEE -- read once and referred to the Committee on Consumer Affairs and Protection -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 Assembly, do enact as follows:

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

ARTICLE 38-C

ONLINE SALE OF GROCERIES

Section 840. Definitions.

841. Disclosure of pricing policy.

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

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

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

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

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

§ 841. Disclosure of pricing policy. 1. Any food retailer, or third-party delivery platform shall clearly and conspicuously provide a pricing policy that discloses whether the online price of products is the

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

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same as the in store price, or if it is not the same. The disclosure shall indicate that prices on the platform may generally differ from the in-store price. Third-party delivery platforms shall prominently include a disclosure on the primary landing page for food retailers stating that prices on the platform may generally differ from the in-store price. If a food retailer has a website, the third-party delivery platform must post a link to the website on their platform in a manner that is easily noticeable and accessible to the consumer.

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

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

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