

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:

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

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

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

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

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

17 § 2. This act shall take effect on the one hundred eightieth day after
18 it shall have become a law. Effective immediately, the addition, amend-
19 ment and/or repeal of any rule or regulation necessary for the implemen-
20 tation of this act on its effective date are authorized to be made and
21 completed on or before such effective date.