STATE OF NEW YORK

8260--A

2025-2026 Regular Sessions

IN ASSEMBLY

May 5, 2025

Introduced by M. of A. ZACCARO, SHIMSKY, EPSTEIN, MANKTELOW, DINOWITZ, STECK, REYES, K. BROWN -- read once and referred to the Committee on Consumer Affairs and Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to banning push notifications from a food service establishment or a third-party food delivery platform to minors

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 section 390-f to read as follows:

§ 390-f. Push notifications from certain mobile applications to minors. 1. Any mobile application or mobile platform, operated by, operated on behalf of, or owned by any food service establishment, as defined by paragraph (b) of subdivision one of section three hundred ninety-one-v of this article, or any third-party delivery platform, as defined by paragraph (d) of subdivision one of section three hundred ninety-one-v of this article, shall require an individual to manually enter the individual's date of birth when registering for an account with such platform or application.

2. Any mobile application or mobile platform which is operated by, operated on behalf of, or owned by any food service establishment, as defined by paragraph (b) of subdivision one of section three hundred ninety-one-v of this article, or any third-party delivery platform, as defined by paragraph (d) of subdivision one of section three hundred ninety-one-v of this article, shall be prohibited from initiating or sending mobile device push notifications or text message notifications, including alerts, designed to encourage an individual to engage with such application or platform, where such individual has registered for an account with a date of birth which indicate that such person is a minor.

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

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3. For purposes of this section:

(a) Push notification means an automatic electronic message displayed on a mobile device, when the user interface for a food service establishment or a third-party food delivery platform or application is not actively open or visible on the device, that prompts the account holder to check or engage with such a platform or application.

(b) Minor means an individual under the age of eighteen.

§ 2. This act shall take effect immediately.