STATE OF NEW YORK

4433

2025-2026 Regular Sessions

IN SENATE

February 4, 2025

Introduced by Sen. SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer 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 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 changes for online grocery delivery and online pick-up services.

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

(a)"Grocery store" or "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) "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 changes for online grocery delivery and online pick-up services. 1. Any grocery store, food retailer, or third-party delivery platform shall clearly and conspicuously state any difference in the price of a product being purchased or ordered online relative to the price of the product when it is purchased or offered in-store on the day of the online order. The difference in purchase price for each product shall be disclosed on the website or mobile

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

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application page and at the time of the online order or purchase. If the grocery store, food retailer, or the third-party delivery platform charges an increased price for all such groceries offered online, not differentiated by product, it shall clearly and conspicuously state the percentage or amount of the increase on the front page of its website and/or mobile application.

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 ninetieth 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.