

STATE OF NEW YORK

9038

2025-2026 Regular Sessions

IN ASSEMBLY

September 5, 2025

Introduced by M. of A. ROSENTHAL -- read once and referred to the
Committee on Cities

AN ACT to amend the administrative code of the city of New York and the
general municipal law, in relation to penalties for internet-based
food-ordering service providers failing to comply with the posting of
a sanitary inspection grade

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

1 Section 1. Section 17-195.1 of the administrative code of the city of
2 New York, as added by chapter 540 of the laws of 2024, is amended to
3 read as follows:
4 § 17-195.1 Posting of sanitary inspection grade. a. [~~Definition~~
5 definitions. For the purposes of this section: (1) "Internet-based food
6 delivery service provider" shall mean any:
7 (i) food service establishment as defined in section 81.03 of the
8 health code of the city of New York that accepts food orders for deliv-
9 ery or pickup from customers via the internet or mobile application, or
10 [~~mobile application, or~~ (ii) any [~~third-party~~] website or mobile appli-
11 cation that accepts food orders for delivery or pickup from customers
12 via the internet.
13 (2) "Conspicuously post" shall mean to post the hyperlink to the city
14 of New York's health department food establishment look up tool at the
15 top of the menu page adjacent to the name of the food service establish-
16 ment or user interface where food is ordered and added to cart.
17 b. Every internet-based food delivery service provider shall conspicu-
18 ously post on their website or mobile application a hyperlink to the
19 city of New York's health department food establishments lookup tool,
20 which lists the most current sanitary inspection letter grade of any
21 food service establishment, pursuant to section 81.51 of the health code
22 of the city of New York, for which food delivery or online ordering
23 services are provided to customers.

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

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1 c. Any internet-based food delivery service provider as defined by
2 subparagraph (i) of paragraph one of subdivision a of this section that
3 violates subdivision b of this section or any of the rules promulgated
4 thereunder shall be liable for a civil penalty not to exceed one hundred
5 dollars for each violation. Any internet-based food delivery service
6 provider, as defined by subparagraph (ii) of paragraph one of subdivi-
7 sion a of this section, that violates subdivision b of this section or
8 any of the rules promulgated thereunder shall be liable for a civil
9 penalty not to exceed one thousand dollars per day for each violation
10 and it shall be a separate violation for each food service establishment
11 on the platform that such internet-based food delivery service fails to
12 post a hyperlink to the city of New York's health department food estab-
13 lishments lookup tool.

14 § 2. Subdivision 1 of section 139-e of the general municipal law, as
15 added by chapter 540 of the laws of 2024, is amended and a new subdivi-
16 sion 3 is added to read as follows:

17 1. As used in this section: (a) "internet-based food delivery service
18 provider" shall mean:

19 (i) any food service establishment that accepts food orders for deliv-
20 ery or pickup from customers via the internet or mobile application, or

21 (ii) any [~~third-party~~] website or mobile application that accepts food
22 orders for delivery or pickup from customers via the internet or mobile
23 application.

24 (b) "conspicuously post" shall mean to post the hyperlink to the
25 municipal or state health department food establishment look up tool at
26 the top of the menu page adjacent to the name of the food service estab-
27 lishment or user interface where food is ordered and added to cart.

28 3. Any internet-based food delivery service provider as defined by
29 subparagraph (i) of paragraph a of subdivision one of this section that
30 violates any local law or rule promulgated pursuant to subdivision two
31 of this section shall be liable for a civil penalty not to exceed one
32 hundred dollars for each violation. Any internet-based food delivery
33 service provider, as defined by subparagraph (ii) of paragraph (a) of
34 subdivision one of this section, that violates any local law or rule
35 promulgated pursuant to subdivision two of this section shall be
36 liable for a civil penalty not to exceed one thousand dollars per day
37 for each violation and it shall be a separate violation for each food
38 service establishment on the platform that such internet-based food
39 delivery service fails to post a hyperlink to the municipal or state
40 health department food establishments lookup tool.

41 § 3. This act shall take effect immediately.