

SB 280-FN - VERSION ADOPTED BY BOTH BODIES

03/06/2025 0388s

2025 SESSION

25-1076

07/05

SENATE BILL

280-FN

AN ACT

requiring a food delivery service to enter into an agreement with a food service establishment or food retail store before offering delivery service from that restaurant.

SPONSORS:

Sen. Ricciardi, Dist 9; Sen. Perkins Kwoka, Dist 21; Sen. Prentiss, Dist 5; Sen. Murphy, Dist 16; Sen. Pearl, Dist 17; Rep. Potucek, Rock. 13

COMMITTEE:

Commerce

ANALYSIS

This bill requires a food delivery service to enter into an agreement with a food service establishment or food retail store before offering delivery service from that restaurant.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struckthrough]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT requiring a food delivery service to enter into an agreement with a food service establishment or food retail store before offering delivery service from that restaurant.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Trade and Commerce; Food Delivery Platform. RSA 359-S is repealed and reenacted to read as follows:

CHAPTER 359-S

FOOD DELIVERY PLATFORM

359-S:1 Food Delivery Platforms.

I. In this chapter:

(a) “Food delivery platform” means an online business that acts as an intermediary between consumers and multiple food facilities to submit food orders from a consumer to a participating food facility, and to arrange for the delivery of the order from the food service establishment or retail food store to the consumer.

(b) "Food service establishment" has the same meaning as RSA 143-A:3, IV.

(c) "Retail food store" has the same meaning as RSA 143-A:3, VII.

II. A food delivery platform shall not take and arrange for the delivery of an order from a food service establishment or retail food store without first obtaining an agreement with the food service establishment or retail food store expressly authorizing the food delivery platform to take orders and deliver meals prepared by the food service establishment or retail food store.

III. Any food delivery platform that violates this chapter shall be guilty of a violation and fined \$100 for each delivery made without the agreement required in paragraph II.

2 Effective Date. This act shall take effect upon its passage.

**SB 280-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2025-0388s)**

AN ACT requiring a food delivery service to enter into an agreement with a food service establishment or food retail store before offering delivery service from that restaurant.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

***Expenditure = Cost of bill**

***Appropriation = Authorized funding to cover cost of bill**

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association