

CHAPTER 144
HB 593-FN - FINAL VERSION

7Apr2021... 0582h
05/13/2021 1297s

2021 SESSION

21-0818
08/05

HOUSE BILL ***593-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: Rep. Wilhelm, Hills. 42; Rep. Chretien, Hills. 42; Rep. Oxaal, Straf. 15; Rep. Moran, Hills. 34

COMMITTEE: Commerce and Consumer Affairs

AMENDED 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. The provisions of the bill are repealed December 31, 2023.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

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:

1 144:1 New Chapter; Food Delivery Platform. Amend RSA by inserting after chapter 359-R the
2 following new chapter:

CHAPTER 359-S
FOOD DELIVERY PLATFORM

5 359-S:1 Food Delivery Platforms.

6 I. In this chapter:

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

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

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

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

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

19 144:2 Prospective Repeal. RSA 359-S, relative to food delivery platforms, is repealed.

20 144:3 Effective Date.

21 I. Section 2 of this act shall take effect December 31, 2023.

22 II. The remainder of this act shall take effect September 1, 2021.

Approved: July 23, 2021

Effective Date:

I. Section 2 shall take effect December 31, 2023.

II. Remainder shall take effect September 1, 2021.

