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**AB-2149 Food delivery platforms.** (2019-2020)

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**Assembly Bill No. 2149**

**CHAPTER 125**

An act to add Chapter 22.4 (commencing with Section 22598) to Division 8 of the Business and Professions Code, relating to business.

[ Approved by Governor September 24, 2020. Filed with Secretary of State September 24, 2020. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 2149, Gonzalez. Food delivery platforms.

The California Retail Food Code (code) generally requires various businesses that prepare or otherwise provide food to the public to comply with uniform health and sanitation standards. The code defines "food facility" for its purposes as an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level.

This bill would enact the Fair Food Delivery Act of 2020, to prohibit a food delivery platform from arranging for the delivery of an order from a food facility without first obtaining an agreement with the food facility expressly authorizing the food delivery platform to take orders and deliver meals prepared by the food facility. The bill would define a "food delivery platform" as 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 facility to the consumer.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** This act shall be known, and may be cited, as the Fair Food Delivery Act of 2020.

**SEC. 2.** Chapter 22.4 (commencing with Section 22598) is added to Division 8 of the Business and Professions Code, to read:

**CHAPTER 22.4. Food Delivery Platforms**

**22598.** For purposes of this chapter, the following definitions shall apply:

(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 facility to the consumer.

(b) "Food facility" means a food facility, as defined in Section 113789 of the Health and Safety Code.

**22599.** A food delivery platform shall not arrange for the delivery of an order from a food facility without first obtaining an agreement with the food facility expressly authorizing the food delivery platform to take orders and deliver meals prepared by the

