

CHAPTER.....

AN ACT relating to trade practices; prohibiting a food delivery service platform provider from facilitating an online food order involving a food dispensing establishment who has not obtained certain required licenses; prohibiting such a food dispensing establishment from accepting an online food order; requiring a food delivery service platform provider to remove such a food dispensing establishment from the food delivery service platform of the provider under certain circumstances; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law sets forth various requirements and restrictions concerning food delivery service platforms, which existing law defines to mean an Internet website, online service or mobile application which allows users to purchase food from multiple food dispensing establishments and arrange for the same-day delivery or same-day pickup of such food. (NRS 597.7625-597.7642) Existing law designates a person who operates such a platform as a food delivery service platform provider. (NRS 597.7628) Existing law defines “food dispensing establishment” to mean, in general, a food establishment that prepares and serves food intended for immediate consumption. (NRS 597.7629)

Under existing law, a food delivery service platform provider is prohibited from facilitating an online food order involving a food dispensing establishment, including, without limitation, arranging for the same-day delivery or same-day pickup of food prepared by a food dispensing establishment, unless the food delivery service platform provider has entered into a written agreement with the food dispensing establishment authorizing such activities. (NRS 597.7635)

This bill prohibits a food delivery service platform provider from facilitating an online food order involving a food dispensing establishment unless the food dispensing establishment has obtained any business license required by the local government in which the food dispensing establishment is located which authorizes the food dispensing establishment to conduct business at the address at which the food dispensing establishment prepares the online food order.

This bill also prohibits a food dispensing establishment from accepting an online food order facilitated by a food delivery service platform provider unless the food dispensing establishment has obtained any business license required by the local government in which the food dispensing establishment is located which authorizes the food dispensing establishment to conduct business at the address at which the food dispensing establishment prepares the online food order. Under this bill, a food dispensing establishment who violates this prohibition or provides to the food delivery service platform provider false or misleading information regarding the business license of the food dispensing establishment is subject to a civil penalty not to exceed \$100 for each online food order which the food dispensing establishment fills in violation of the prohibition.

Finally, this bill requires a food delivery service platform provider to remove a food dispensing establishment from the platform of the food delivery service platform provider if the food delivery service platform provider receives specific, verifiable information that the food dispensing establishment has accepted an



online food order in violation of the provisions of this bill or has provided to the food delivery service platform provider false or misleading information regarding the business license of the food dispensing establishment. This bill provides that a food delivery service platform provider who fails to remove the food dispensing establishment from the platform of the food delivery service platform provider is subject to a civil penalty not to exceed \$500 for each day that the food dispensing establishment remains on the platform after the 10th day after the food delivery service platform provider receives the information.

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 597.7635 is hereby amended to read as follows:

597.7635 ***1.*** A food delivery service platform provider shall not facilitate an online food order involving a food dispensing establishment, including, without limitation, arranging for the same-day delivery or same-day pickup of food prepared by a food dispensing establishment, unless ~~the~~ :

(a) The food dispensing establishment has obtained any business license required by the local government in which the food dispensing establishment is located which authorizes the food dispensing establishment to conduct business at the address at which the food dispensing establishment prepares the online food order; and

(b) The food delivery service platform provider has entered into a written agreement with the food dispensing establishment that expressly authorizes the food delivery service platform provider to engage in such activities.

2. A food dispensing establishment shall not accept an online food order facilitated by a food delivery service platform provider unless the food dispensing establishment has obtained any business license required by the local government in which the food dispensing establishment is located which authorizes the food dispensing establishment to conduct business at the address at which the food dispensing establishment prepares the online food order. A food dispensing establishment who violates this subsection or provides to the food delivery service platform provider false or misleading information regarding the business license of the food dispensing establishment is subject to a civil penalty not to exceed \$100 for each online food order which the food dispensing establishment fills in violation of this subsection.



3. A food delivery service platform provider who receives specific, verifiable information that a food dispensing establishment has violated subsection 2 or has provided to the food delivery service platform provider false or misleading information regarding the business license of the food dispensing establishment shall, not later than 10 days after receiving that information, remove the food dispensing establishment from the food delivery service platform of the food delivery service platform provider. A food delivery service platform provider who violates the provisions of this subsection is subject to a civil penalty not to exceed \$500 for each day that the food dispensing establishment remains on the food delivery service platform of the food delivery service platform provider after the 10th day after the food delivery service platform provider receives the information described in subsection 3.

Sec. 2. This act becomes effective on January 1, 2026.

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