

Fiscal Impact Statement Prepared By New York City Mayor's Office of Management and Budget



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Disclaimer: This fiscal impact statement is a preliminary estimate and subject to change based upon further data analysis or changes in bill text. This legislation is summarized as understood by the administration as of the date this statement was prepared and does not include or consider subsequent text changes. This fiscal impact statement is not legally binding on the administration. "Total" columns represent the respective sum over a four-year period; note that fiscal impacts continue after year four. Unless otherwise stated, information used in the preparation of this Fiscal Impact Statement is sourced from the agencies impacted and the NYC Mayor's Office of Management and Budget.

Proposed Intro No. / Title: *Int. 738-A / Requiring third-party food delivery services and third-party grocery delivery services to provide an opportunity to pay a gratuity before or at the same time an online order is placed*

Sponsors: Abreu, Gutiérrez, Menin, Restler, Nurse, Marte, Hanif, Hudson, Feliz, Krishnan, Farías, Avilés, Narcisse, Banks, Salaam, Rivera, Williams, Brewer, Ayala, Cabán

Committee: Consumer and Worker Protection

Summary of Legislation: This legislation requires that customers must be provided gratuity options for tipping grocery delivery workers or food delivery workers at the time of purchase or placing of an order with all third-party food delivery services.

Effective Date: In conjunction with the effective date of Introduction 30-B of 2025

First Fiscal Year Legislation Takes Effect: Fiscal Year 2026

First Fiscal Year with Full Impact: Fiscal Year 2026

Agencies Impacted: Department of Consumer and Worker Protection

Fiscal Impact Analysis

A. Total Impact (Expense and Revenue)

	Fiscal Year 1	Fiscal Year 2	Fiscal Year 3	Fiscal Year 4	Total
Expense	(\$2,905,000)	(\$2,905,000)	(\$2,905,000)	(\$2,905,000)	(\$11,620,000)
Revenue	0	0	0	0	0
Total	(\$2,905,000)	(\$2,905,000)	(\$2,905,000)	(\$2,905,000)	(\$11,620,000)

B. Expense

	Fiscal Year 1	Fiscal Year 2	Fiscal Year 3	Fiscal Year 4	Total
Expenditures	(\$2,905,000)	(\$2,905,000)	(\$2,905,000)	(\$2,905,000)	(\$11,620,000)

Impact on Expenditures (Expense):

It is anticipated that the Department of Consumer and Worker Protection would require \$2,905,000 in annual Personnel Services (PS) resources, including fringe, to hire 19 staff to implement this legislation along with the rest of the Minimum Pay Rate legislation including Introductions 737-A of 2024, 738-A of 2024, 859-A of 2024, 1133-A of 2024, and 1135-A of 2024. The 19 staff are broken down as follows:

- (2) Executive Agency Counsels at an average salary of \$161,000
- (2) Agency Attorneys L3 at an average salary of \$106,500
- (3) Agency Attorneys L2 at an average salary of \$95,500
- (1) Computer Systems Manager at a salary of \$161,000
- (3) City Research Scientists III at an average salary of \$113,000
- (1) City Research Scientist IV at an average salary of \$126,000
- (2) Revenue Analysts at an average salary of \$60,000
- (1) Associate Inspector L1 at a salary of \$83,000
- (3) Inspectors L2 at a salary of \$71,000
- (1) Administrative Community Relations Specialist at a salary of \$82,000.

C. Revenue

	Fiscal Year 1	Fiscal Year 2	Fiscal Year 3	Fiscal Year 4	Total
Revenue	0	0	0	0	0

Impact on Revenue:

There may be an impact to revenues, but a projection cannot be made at this time.

D. Capital

	Fiscal Year 1	Fiscal Year 2	Fiscal Year 3	Fiscal Year 4	Total
Expenditures	0	0	0	0	0

Impact on Expenditures (Capital):

There is no anticipated impact on capital expenditures.