

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the Coronavirus Support Temporary Amendment Act of 2020 to limit the commission fee that a third-party food delivery platform may charge for use of the platform’s services.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the “Third-Party Food Pickup Commission Emergency Amendment Act of 2021”.

Sec. 2. Section 205(b) of the Coronavirus Support Temporary Amendment Act of 2020, effective October 9, 2020 (D.C. Law 23-130; 67 DCR 8622), is amended to read as follows:

“(b) Notwithstanding any provision of District law, during a public health emergency it shall be unlawful for a person to cause a third-party food delivery platform to charge a restaurant:

(1) A commission fee for use of the platform’s services for delivery that totals more than 15% of the purchase price per online order; or

(2) A commission fee for use of the platform’s services that totals more than 5% of the purchase price per online order where the platform does not provide

35 delivery of an order, including orders that are picked up from the restaurant by the
36 customer or for which the restaurant provides its own delivery service.”.

37 Sec. 3. Fiscal impact statement.

38 The Council adopts the fiscal impact statement of the Budget Director as the
39 fiscal impact statement required by section 4a of the General Legislative Procedures Act
40 of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

41 Sec. 4. Effective date.

42 This act shall take effect following approval by the Mayor (or in the event of veto
43 by the Mayor, action by the Council to override the veto), and shall remain in effect for
44 no longer than 90 days, as provided for emergency acts of the Council of the District of
45 Columbia in section 412(a) of the District of Columbia Home Rule Act, approved
46 December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).