

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Michael F. Rush

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to refunds and customer service standards for food delivery platforms.

PETITION OF:

NAME:

Michael F. Rush

DISTRICT/ADDRESS:

Norfolk and Suffolk

SENATE No.

By Mr. Rush, a petition (accompanied by bill) (subject to Joint Rule 12) of Michael F. Rush for legislation relative to refunds and customer service standards for food delivery platforms. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to refunds and customer service standards for food delivery platforms.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 93 of the General Laws is hereby amended by inserting the
2 following definitions:

3 “Food delivery platform”, a business or organization that operates a digital platform,
4 including a website or mobile application, that facilitates the purchase and delivery of prepared
5 food from food vendors to customers.

6 “Customer”, an individual who places an order for food through a food delivery platform.

7 “Delivery worker”, an individual who delivers food on behalf of a food delivery
8 platform.

9 SECTION 2. Chapter 93 of the General Laws is hereby further amended by inserting
10 after section 107 the following section:

11 Section 107A. Refunds for undelivered or incorrect food delivery orders.

12 (a) A food delivery platform shall provide a full refund to a customer if the customer's
13 food order is not delivered or is delivered incorrectly. Such refund shall include all amounts paid
14 by the customer, including but not limited to the purchase price, taxes, fees, delivery charges,
15 commissions, and gratuities.

16 (b) A food delivery platform may deny a refund only if it reasonably determines that the
17 customer was responsible for the non-delivery or incorrect delivery, or that the refund request is
18 fraudulent.

19 (c) If a customer receives only a portion of the food order, the platform may charge the
20 customer only for the portion of the order actually delivered and shall refund the remainder,
21 including proportional adjustments to taxes, fees, and gratuities.

22 (d) Refunds shall be issued to the original method of payment and shall not be limited to
23 credits, vouchers, or promotional balances.

24 SECTION 3. A food delivery platform shall refund any gratuity paid in connection with
25 an undelivered or incorrect order and shall not deduct or reclaim such refunded gratuity from a
26 delivery worker's compensation.

27 SECTION 4. A food delivery platform shall provide customers with a clear and
28 accessible method to communicate with a live customer service representative when automated
29 systems fail to resolve a complaint.

30 SECTION 5. Any violation of this act shall constitute an unfair or deceptive act or
31 practice under chapter 93A of the General Laws.

32 SECTION 6. This act shall take effect January 1 following passage.