S T A T E O F N E W Y O R K

5295

2011-2012 Regular Sessions

I N S E N A T E

May 3, 2011

Introduced by Sen. BALL -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the alcoholic beverage control law, in relation to temporary retail permits

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

Section 1. Subdivision 1 of section 97-a of the alcoholic beverage control law is amended by adding a new paragraph (b) to read as follows:

(B) TO THE APPLICANT FOR A NEW RETAIL LICENSE THAT CURRENTLY HOLDS ONE OR MORE RETAIL LICENSES, AND HAS NOT VIOLATED THE PROVISIONS OF THIS CHAPTER OR TITLE 9 OF THE NEW YORK CODES, RULES AND REGULATIONS WITHIN THE TWO CALENDAR YEARS PRECEDING APPLICATION FOR SUCH PERMIT. SUCH PERMIT SHALL BE ISSUED WITHIN FOURTEEN DAYS OF AN APPLICANT MEETING THE CONDITIONS SET FORTH IN SUBDIVISION TWO OF THIS SECTION.

S 2. Subdivision 4 of section 97-a of the alcoholic beverage control law, as added by chapter 396 of the laws of 2010, is amended to read as follows:

4. A temporary retail permit issued by the authority pursuant to PARAGRAPH (A) OF SUBDIVISION ONE OF this section shall be for a period not to exceed ninety days. [A] SUCH temporary permit may be extended at the discretion of the authority, for an additional thirty day period upon payment of an additional fee of sixty-four dollars for all retail beer licenses and ninety-six dollars for all other temporary permits and upon compliance with all conditions required in this section. The authority may, in its discretion, issue additional thirty day extensions upon payment of the appropriate fee. A TEMPORARY RETAIL PERMIT ISSUED BY THE AUTHORITY PURSUANT TO PARAGRAPH (C) OF SUBDIVISION ONE OF THIS SECTION SHALL BE VALID UNTIL THE AUTHORITY, PURSUANT TO AN APPLICATION FOR A RETAIL LICENSE, EITHER ISSUES OR DENIES SAID LICENSE.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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S 3. This act shall take effect immediately, provided, however section one of this act shall take effect on the same date as the repeal of paragraph (b) of subdivision 1 of section 97-a of the alcoholic beverage control law, as provided in chapter 396 of the laws of 2010, as amended, takes effect.