

2013-2014 Regular Sessions

I N   S E N A T E

(PREFILED)

January 9, 2013

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Introduced by Sen. GALLIVAN -- 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 the selling of alcoholic beverages; and to repeal certain provisions of such law relating thereto

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

1     Section 1. Paragraph (a) of subdivision 14 of section 105 of the alco-  
2     holic beverage control law, as amended by section 1 of part U of chapter  
3     63 of the laws of 2003, is amended to read as follows:  
4     (a) No premises licensed to sell liquor and/or wine for off-premises  
5     consumption shall be permitted to remain open[:  
6     (i) On Sunday before twelve o'clock post meridian and after nine  
7     o'clock post meridian.  
8     (ii) On] ON any day between midnight and eight o'clock antemeridian.  
9     [(iii) On the twenty-fifth day of December, known as Christmas day.]  
10    In any community where daylight saving time is in effect, such time  
11    shall be deemed the standard time for the purpose of this subdivision.  
12    S 2. Section 105-a of the alcoholic beverage control law is REPEALED.  
13    S 3. Subdivision 5 of section 106 of the alcoholic beverage control  
14    law, as amended by chapter 83 of the laws of 1995, is amended to read as  
15    follows:  
16    5. No alcoholic beverages shall be sold, offered for sale or given  
17    away upon any premises licensed to sell alcoholic beverages at retail  
18    for on-premises consumption[, during the following hours:  
19    (a) Sunday, from four ante meridiem to twelve noon.  
20    (b) On] ON any [other] day between four ante meridiem and eight ante  
21    meridiem.

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

LBD02104-01-3

1 Unless otherwise approved by the authority pursuant to subdivision  
2 eleven of section seventeen of this chapter, where any rule has been  
3 adopted in a county on or before April first, nineteen hundred ninety-  
4 five, further restricting the hours of sale for alcoholic beverages,  
5 such restricted hours shall be the hours, during which the sale of alco-  
6 holic beverages at retail for on-premises consumption shall not be  
7 permitted within such county.

8 Nor shall any person be permitted to consume any alcoholic beverages  
9 upon any such premises later than one-half hour after the start of the  
10 prohibited hours of sale provided for in this section.

11 S 4. This act shall take effect immediately.