

3978

2013-2014 Regular Sessions

I N   S E N A T E

March 4, 2013

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Introduced by Sen. MAZIARZ -- 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 requiring license and renewal applicants to indicate the type of establishment to be operated and prohibiting any form of exotic dancing at licensed establishment premises

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

1     Section 1. Paragraphs (f), (g) and (h) of subdivision 1 of section 110  
2     of the alcoholic beverage control law are relettered paragraphs (g), (h)  
3     and (i) and a new paragraph (f) is added to read as follows:  
4     (F) A STATEMENT INDICATING THE TYPE OF ESTABLISHMENT TO BE OPERATED AT  
5     THE PREMISES. SUCH STATEMENT SHALL INDICATE THE OCCURRENCE OF TOPLESS  
6     ENTERTAINMENT AND/OR EXOTIC DANCING WHETHER TOPLESS OR OTHERWISE,  
7     INCLUDING, BUT NOT LIMITED TO, POLE DANCING AND LAP DANCING, AT THE  
8     ESTABLISHMENT.  
9     S 2. Subdivision 6 of section 110 of the alcoholic beverage control  
10    law, as amended by chapter 114 of the laws of 2000, is amended to read  
11    as follows:  
12    6. The authority may in its discretion waive the submission of any  
13    category of information described in this section for any category of  
14    license or permit, provided that it shall not be permitted to waive the  
15    requirement for submission of any such category of information solely  
16    for an individual applicant or applicants AND PROVIDED FURTHER THAT NO  
17    WAIVER OF PARAGRAPH (F) OF SUBDIVISION ONE OF THIS SECTION SHALL BE  
18    MADE.  
19    S 3. Subdivision 1 of section 109 of the alcoholic beverage control  
20    law, as amended by chapter 396 of the laws of 1995, is amended to read  
21    as follows:

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

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1     1. Each license and permit, except a temporary permit effective for  
2 one day only, issued pursuant to this chapter may be renewed upon appli-  
3 cation therefor by the licensee or permittee and the payment of the  
4 annual fee for such license or permit as prescribed by this chapter. In  
5 the case of applications for renewals, the liquor authority may dispense  
6 with the requirements of such statements as it deems unnecessary in view  
7 of those contained in the application made for the original license or  
8 permit[, but in any event the]; PROVIDED, HOWEVER, THAT NO WAIVER OF  
9 PARAGRAPH (F) OF SUBDIVISION ONE OF SECTION ONE HUNDRED TEN OF THIS  
10 ARTICLE MAY BE MADE. THE submission of photographs of the licensed prem-  
11 ises shall be dispensed with provided the applicant for such renewal  
12 shall file a statement with such authority to the effect that there has  
13 been no alteration of such premises since the original license was  
14 issued. An applicant for a retail license for on-premises consumption  
15 shall also submit to the authority a copy of the valid certificate of  
16 occupancy or such other document issued by the local code enforcement  
17 agency for the premises for which the original license was issued. The  
18 liquor authority may make such rules as may be necessary not inconsis-  
19 tent with this chapter regarding applications for renewals of licenses  
20 and permits and the time for making the same.

21     S 4. This act shall take effect on the sixtieth day after it shall  
22 have become a law; provided, however, the addition, amendment and/or  
23 repeal of any rule or regulation necessary for the implementation of  
24 this act on its effective date are authorized and directed to be made  
25 and completed on or before such effective date.