

STATE OF NEW YORK

10563

IN ASSEMBLY

June 3, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Buttenschon)
-- read once and referred to the Committee on Economic Development

AN ACT to amend the alcoholic beverage control law, in relation to reducing the license fees for businesses that were unable to operate as a result of the COVID-19 pandemic; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 57 of the alcoholic beverage control law is amended
2 by adding a new subdivision 3 to read as follows:

3 3. For renewal of any license under this article from March seventh,
4 two thousand twenty through December thirty-first, two thousand twenty-
5 one, the license fee shall be reduced in proportion to the number of
6 months that the license holder was unable to sell alcohol on the prem-
7 ises due to executive orders related to the novel coronavirus, COVID-19,
8 pandemic.

9 § 2. Section 67 of the alcoholic beverage control law, as amended by
10 section 4 of part Z of chapter 85 of the laws of 2002, is amended to
11 read as follows:

12 § 67. License fees, duration of licenses; fee for part of year.
13 Effective April first, nineteen hundred eighty-three, licenses issued
14 pursuant to sections sixty-one, sixty-two, sixty-three, sixty-four,
15 sixty-four-a and sixty-four-b of this article shall be effective for
16 three years at three times that annual fee, except that, in implementing
17 the purposes of this section, the liquor authority shall schedule the
18 commencement dates, duration and expiration dates thereof to provide for
19 an equal cycle of license renewals issued under each such section
20 through the course of the fiscal year. Effective December first, nine-
21 teen hundred ninety-eight, licenses issued pursuant to sections sixty-
22 four, sixty-four-a and sixty-four-b of this article shall be effective
23 for two years at two times that annual fee, except that, in implementing
24 the purposes of this section, the liquor authority shall schedule the
25 commencement dates, duration and expiration dates thereof to provide for
26 an equal cycle of license renewals issued under each such section

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

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1 through the course of the fiscal year. Notwithstanding the foregoing,
2 commencing on December first, nineteen hundred ninety-eight and conclud-
3 ing on July thirty-first, two thousand two, a licensee issued a license
4 pursuant to section sixty-four, sixty-four-a or sixty-four-b of this
5 article may elect to remit the fee for such license in equal annual
6 installments. Such installments shall be due on dates established by the
7 liquor authority and the failure of a licensee to have remitted such
8 annual installments after a due date shall be a violation of this chap-
9 ter. For licenses issued for less than the three-year licensing period,
10 the license fee shall be levied on a pro-rated basis. The entire license
11 fee shall be due and payable at the time of application. The liquor
12 authority may make such rules as shall be appropriate to carry out the
13 purpose of this section. Notwithstanding the foregoing, for renewal of
14 any license under this article from March seventh, two thousand twenty
15 through December thirty-first, two thousand twenty-one, the license fee
16 shall be reduced in proportion to the number of months that the license
17 holder was unable to sell alcohol on the premises due to executive
18 orders related to the novel coronavirus, COVID-19, pandemic.

19 § 3. This act shall take effect immediately and shall expire and be
20 deemed repealed December 31, 2021.