

STATE OF NEW YORK

7617

2023-2024 Regular Sessions

IN ASSEMBLY

May 25, 2023

Introduced by M. of A. BRONSON -- read once and referred to the Committee on Economic Development

AN ACT to amend the alcoholic beverage control law, in relation to authorizing private membership establishments to have certain licenses for sale of alcohol

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

Section 1. Section 3 of the alcoholic beverage control law is amended by adding a new subdivision 39 to read as follows:

39. "Private membership establishment" shall mean an association operated by an individual, corporation, partnership, company, or any other for-profit entity which is the owner, lessee, or occupant of a premises used exclusively for such association's purposes, and which is operated solely for a recreational, social, patriotic, political, benevolent, communal workspace or athletic purposes. A "member" of a private membership establishment shall mean a person who, whether a charter member or admitted in agreement with the by-laws of such private membership establishment, has become a bona fide member thereof, who maintains his or her private membership establishment membership by the payment of his or her annual dues in a bona fide manner in accordance with the by-laws and whose name and address is entered on such private membership establishment's list of members. A private membership establishment shall be subject to the provisions of section one hundred ten of this chapter. A business or facility that sells event tickets to the public, or otherwise permits access to non-members of such business or facility, shall not be considered a private membership establishment.

§ 2. Subdivision 5 of section 64 of the alcoholic beverage control law, as amended by chapter 258 of the laws of 1976, is amended to read as follows:

5. No retail license under this section shall be granted except for such premises as are being conducted as a bona fide hotel provided that

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

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1 a restaurant is operated in such premises, restaurant, catering estab-
2 lishment, club, private membership establishment, railroad car, vessel
3 or aircraft being operated on regularly scheduled flights by a United
4 States certificated airline.

5 § 3. Subdivision 8 of section 106 of the alcoholic beverage control
6 law is amended to read as follows:

7 8. A private membership establishment, club or a luncheon club
8 licensed to sell alcoholic beverages for on-premises consumption shall
9 be permitted to sell such beverages only to its members and to their
10 guests accompanying them.

11 § 4. This act shall take effect immediately.