

STATE OF NEW YORK

5725

2025-2026 Regular Sessions

IN ASSEMBLY

February 20, 2025

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 retail licenses to sell liquor for on-premises consumption at airline lounges

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

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

3 39. "Airline lounge" means and includes any premises located within an
4 airport and such premises is owned, leased, or operated by a United
5 States certificated airline which regularly and in a bona fide manner
6 furnishes provisions and services therein.

7 § 2. Subdivision 6 of section 64-a of the alcoholic beverage control
8 law, as amended by section 2 of part CC of chapter 55 of the laws of
9 2024, is amended to read as follows:

10 6. No special on-premises license shall be granted except for premises
11 in which the principal business shall be: (a) the sale of food or beverages
12 at retail for consumption on the premises ~~[-]~~; (b) an airline
13 lounge; or (c) the operation of a legitimate theatre, including a motion
14 picture theatre that is a building or facility which is regularly used
15 and kept open primarily for the exhibition of motion pictures for at
16 least five out of seven days a week, or on a regular seasonal basis of
17 no less than six contiguous weeks, to the general public where all auditorium
18 seating is permanently affixed to the floor and at least sixty-five percent
19 of the motion picture theatre's annual gross revenues is the combined result
20 of admission revenue for the showing of motion pictures and the sale of food
21 and non-alcoholic beverages, or such other lawful adult entertainment or
22 recreational facility as the liquor authority, giving due regard to the convenience
23 of the public and the

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

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1 strict avoidance of sales prohibited by this chapter, shall by regu-
2 lation classify for eligibility.

3 § 3. Subdivision 6 of section 64-a of the alcoholic beverage control
4 law, as amended by chapter 475 of the laws of 2011, is amended to read
5 as follows:

6 6. No special on-premises license shall be granted except for premises
7 in which the principal business shall be: (a) the sale of food or bever-
8 ages at retail for consumption on the premises ~~[or]~~; (b) an airline
9 lounge; or (c) the operation of a legitimate theatre or such other
10 lawful adult entertainment or recreational facility as the liquor
11 authority, giving due regard to the convenience of the public and the
12 strict avoidance of sales prohibited by this chapter, shall by regu-
13 lation classify for eligibility. Nothing contained in this subdivision
14 shall be deemed to authorize the issuance of a license to a motion
15 picture theatre, except those meeting the definition of restaurant and
16 meals, and where all seating is at tables where meals are served.

17 § 4. Section 106 of the alcoholic beverage control law is amended by
18 adding a new subdivision 8-a to read as follows:

19 8-a. A license issued for such premises as are being conducted as an
20 airline lounge shall authorize the holder thereof to sell at retail or
21 give away alcoholic beverages only to persons with certain airline tick-
22 et or lounge access privileges and loyalty program members as authorized
23 by such licensee and only for consumption on the premises where sold.
24 Food shall be made regularly available for sale or otherwise to such
25 persons for consumption on the premises.

26 § 5. This act shall take effect immediately; provided, however, that
27 the amendments made to subdivision 6 of section 64-a of the alcoholic
28 beverage control law made by section two of this act shall be subject to
29 the expiration and reversion of such subdivision pursuant to section 5
30 of part CC of chapter 55 of the laws of 2024, as amended, when upon such
31 date the provisions of section three of this act shall take effect.