

STATE OF NEW YORK

3075

2025-2026 Regular Sessions

IN SENATE

January 23, 2025

Introduced by Sen. FAHY -- 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 sale of private-label liquor at retail for consumption off the premises

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

1 Section 1. The alcoholic beverage control law is amended by adding a
2 new section 106-c to read as follows:

3 § 106-c. Sale of private-label liquor at retail for consumption off
4 the premises. 1. For the purposes of this section, the following terms
5 shall have the following meanings:

6 (a) "Private-label liquor" means liquor distilled by a licensed
7 distiller and bottled by a bottler in containers bearing a brand name or
8 trademark for sale at retail directly by the owner or licensee of such
9 brand name or trademark, or through retail dealers affiliated with such
10 owner or licensee by a cooperative or franchise agreement.

11 (b) "Holder of a license to sell liquor at retail for consumption on
12 the premises" shall mean any person or entity holding a valid license
13 issued under section sixty-four of this chapter permitting the sale of
14 alcoholic beverages for on-premises consumption at a restaurant.

15 (c) "Licensed distiller" shall mean any person or entity holding a
16 valid license to produce distilled spirits in New York state issued
17 under section sixty-one of this chapter.

18 2. (a) Notwithstanding any other provision of this chapter, a holder
19 of a license to sell liquor at retail for consumption on the premises
20 may sell bottles of private-label liquor at retail for off-premises
21 consumption provided that such private-label liquor is:

22 (i) distilled within the borders of the state of New York by a
23 licensed distiller; and

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

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1 (ii) not sold in excess of a volume of seventy-five thousand gallons
2 per year.

3 (b) The sale of private-label liquor under this subdivision shall be
4 conducted in accordance with all applicable laws and regulations
5 pertaining to the sale of alcoholic beverages, including but not limited
6 to the requirement that such sales occur only during hours when the sale
7 of alcoholic beverages for off-premises consumption is permitted.

8 (c) The label of the private-label liquor shall clearly indicate that
9 the product is produced by a licensed distiller.

10 (d) The total annual sales volume of private-label liquors as allowed
11 under this section by a holder of a license to sell liquor at retail for
12 consumption on the premises shall be reported to the liquor authority
13 annually by such holder of a license to sell liquor at retail for
14 consumption on the premises.

15 § 2. This act shall take effect on the one hundred eightieth day after
16 it shall have become a law.