S T A T E O F N E W Y O R K

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I N A S S E M B L Y

March 9, 2010

Introduced by M. of A. GLICK, ROSENTHAL, MILLMAN, COOK, CRESPO, GIBSON, TITUS, JAFFEE -- Multi-Sponsored by -- M. of A. BOYLAND, DenDEKKER, DINOWITZ, FIELDS, GOTTFRIED, HIKIND, HOOPER, KOON, MARKEY, MENG, M. MILLER, NOLAN, ORTIZ, PERRY, ROBINSON -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the alcoholic beverage control law, in relation to renewals of licenses and permits

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

Section 1. Subdivision 2 of section 109 of the alcoholic beverage control law, as amended by chapter 512 of the laws of 1996, is amended and two new subdivisions 3 and 4 are added to read as follows:

2. In the case of any application for renewal of a license under sections fifty-five, fifty-five-a, sixty-four, sixty-four-a, sixty-four-b, eighty-one, and eighty-one-a of this chapter, the liquor authority shall require the applicant to notify the clerk of the village, town or city AND COMMUNITY BOARD wherein the licensed premises is located, in the same manner and under the same requirements as set forth in subdivision two-a of section sixty-four of this chapter.

3. THE LIQUOR AUTHORITY SHALL CREATE A STANDARDIZED FORM THAT THE MUNICIPALITY AND COMMUNITY BOARD SHALL BE ABLE TO USE TO COMMENT ON THE RENEWAL APPLICATION AND SHALL BE LOOKED AT BY THE LIQUOR AUTHORITY IN CONSIDERATION OF GRANTING THE RENEWAL. THIS FORM SHALL BECOME PART OF THE RECORD IN THE RENEWAL APPLICATION PROCEEDINGS.

4. IN THE EVENT THAT THE RECOMMENDATION FROM THE COMMUNITY BOARD IS A NEGATIVE DECLARATION, THE LIQUOR AUTHORITY SHALL HOLD A PUBLIC HEARING TO ELICIT INFORMATION FROM THE COMMUNITY BEFORE A DETERMINATION ON THE RENEWAL APPLICATION IS MADE.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.

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

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