

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

10431--A

I N A S S E M B L Y

March 25, 2010

Introduced by M. of A. SCHIMMINGER, PHEFFER, KOON, SKARTADOS, STIRPE, PAULIN, FIELDS, CASTRO -- Multi-Sponsored by -- M. of A. DelMONTE, DESTITO, JOHN, MAGEE -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the alcoholic beverage control law, in relation to the definition of a grocery store

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

1 Section 1. Subdivision 13 of section 3 of the alcoholic beverage
2 control law is amended to read as follows:
3 13. "Grocery store" means any retail establishment where foodstuffs
4 are regularly and customarily sold in a bona fide manner for the
5 consumption off the premises AND MORE THAN FIFTY PERCENT OF THE PRODUCT
6 DISPLAY SPACE CONSISTS OF CONSUMER COMMODITIES AS DEFINED BY PARAGRAPH A
7 OF SUBDIVISION TWO OF SECTION TWO HUNDRED FOURTEEN-H OF THE AGRICULTURE
8 AND MARKETS LAW, PROVIDED, HOWEVER, THAT FOR THE PURPOSES OF THIS SUBDI-
9 VISION THE TERM CONSUMER COMMODITIES SHALL NOT INCLUDE ALCOHOLIC BEVER-
10 AGES AND NOT MORE THAN TEN PERCENT OF THE FIFTY PERCENT STANDARD ESTAB-
11 LISHED HEREIN SHALL CONSIST OF NON-ALCOHOLIC CARBONATED BEVERAGES.
12 S 2. This act shall take effect immediately.

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

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