

10808

I N A S S E M B L Y

April 21, 2010

Introduced by M. of A. SCHIMMINGER, DelMONTE, KOON -- Multi-Sponsored by
-- M. of A. BOYLAND, FIELDS, GABRYSZAK, HIKIND, MAGEE -- 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 the
registration fee for kegs; and to amend chapter 192 of the laws of
2003 amending the alcoholic beverage control law relating to the
registration of kegs, in relation to extending the provisions of such
chapter

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

1 Section 1. Subdivision 5 of section 105-c of the alcoholic beverage
2 control law, as amended by chapter 632 of the laws of 2008, is amended
3 to read as follows:
4 5. Upon the retail sale of beer by the keg for off-premises consump-
5 tion, the retail licensee shall collect a [fifty] TWENTY-FIVE dollar
6 registration deposit on each keg of beer purchased. The registration
7 deposit shall be collected in addition to the purchase price of the
8 beer, taxes thereon and any other deposit collected by the licensee.
9 Upon the return of a keg to such licensee with the identification label
10 or tag intact, the registration deposit shall be returned to the
11 purchaser and the retail licensee shall remove such label or tag from
12 each such keg. The registration deposit on each keg returned without the
13 identification label or tag required by this section shall be forfeited
14 to the retail licensee. The registration deposit upon any keg not
15 returned to the retail licensee within ninety days of the date of
16 purchase shall also be forfeited to the retail licensee.
17 S 2. Section 2 of chapter 192 of the laws of 2003, amending the alco-
18 holic beverage control law relating to the registration of kegs, as
19 amended by chapter 316 of the laws of 2009, is amended to read as
20 follows:
21 S 2. This act shall take effect on the one hundred twentieth day after
22 it shall have become a law and shall expire and be deemed repealed
23 November 22, [2010] 2011.

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

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1 S 3. This act shall take effect immediately, provided that the amend-
2 ment to section 105-c of the alcoholic beverage control law made by
3 section one of this act shall not affect the repeal of such section and
4 shall be deemed repealed therewith.