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

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 5 of section 105-c of the alcoholic beverage control law, as amended by chapter 632 of the laws of 2008, is amended to read as follows:

5. Upon the retail sale of beer by the keg for off-premises consumption, the retail licensee shall collect a [fifty] TWENTY-FIVE dollar registration deposit on each keg of beer purchased. The registration deposit shall be collected in addition to the purchase price of the beer, taxes thereon and any other deposit collected by the licensee. Upon the return of a keg to such licensee with the identification label or tag intact, the registration deposit shall be returned to the purchaser and the retail licensee shall remove such label or tag from each such keg. The registration deposit on each keg returned without the identification label or tag required by this section shall be forfeited to the retail licensee. The registration deposit upon any keg not returned to the retail licensee within ninety days of the date of purchase shall also be forfeited to the retail licensee.

S 2. Section 2 of chapter 192 of the laws of 2003, amending the alcoholic beverage control law relating to the registration of kegs, as amended by chapter 316 of the laws of 2009, is amended to read as follows:

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law and shall expire and be deemed repealed November 22, [2010] 2011.

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

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beverage control law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.