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

10817--A

I N A S S E M B L Y

April 21, 2010

Introduced by M. of A. SCHIMMINGER, ESPAILLAT, BOYLAND, DelMONTE -- Multi-Sponsored by -- M. of A. HIKIND, KOON, 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 permitting the holder of a wholesaler's license to install and operate automated teller machines

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

Section 1. Subdivision 1 of section 104 of the alcoholic beverage control law is amended by adding a new paragraph (a-1) to read as follows:

(A-1) THE INSTALLATION AND OPERATION OF A SINGLE AUTOMATED TELLER MACHINE AT EACH LICENSED PREMISES SHALL NOT CONSTITUTE ENGAGING IN ANOTHER BUSINESS WITHIN THE MEANING OF THIS SUBDIVISION. FOR THE PURPOSES OF THIS SUBDIVISION, "AUTOMATED TELLER MACHINE" MEANS A DEVICE WHICH IS LINKED TO THE ACCOUNTS AND RECORDS OF A BANKING INSTITUTION AND WHICH ENABLES CONSUMERS TO CARRY OUT BANKING TRANSACTIONS, INCLUDING, BUT NOT LIMITED TO, ACCOUNT TRANSFERS, DEPOSITS, CASH WITHDRAWALS, BALANCE INQUIRIES, AND LOAN PAYMENTS.

S 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately the addition, amendment, and/or repeal of any rule or regulation necessary for the timely implementation of this act on its effective date is hereby authorized to be made on or before such date.

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

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