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

4241--A

2009-2010 Regular Sessions

I N A S S E M B L Y

February 2, 2009

Introduced by M. of A. PHEFFER, HOYT, MILLMAN, FIELDS, DINOWITZ, JOHN, CLARK, HOOPER, MAGNARELLI, GABRYSZAK -- Multi-Sponsored by -- M. of A. COLTON, FARRELL, GALEF, MARKEY, ORTIZ, PAULIN, SWEENEY, TITUS, WEINSTEIN, WEISENBERG -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry -- recommitted to the Committee on Economic Development, Job Creation, Commerce and Industry in accordance with Assembly Rule 3, sec. 2 -- 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 immediate suspension of the license of a premises licensed by the state liquor authority upon third reported incident in a nine month period

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

Section 1. Section 106-a of the alcoholic beverage control law is amended by adding a new subdivision 3 to read as follows:

3. WHENEVER A LICENSED PREMISES HAS THREE OR MORE REPORTED INCIDENTS AS SET FORTH IN SUBDIVISION ONE OF THIS SECTION OCCUR IN, ON OR ADJACENT TO ITS PREMISES OR IN ITS PARKING LOT WITHIN ANY NINE MONTH PERIOD THE AUTHORITY SHALL IMMEDIATELY SUSPEND THE LICENSE OF SUCH PREMISES. THEREAFTER A HEARING MUST BE HELD AT WHICH TIME THE AUTHORITY MAY EITHER REVOKE, CANCEL OR CONTINUE THE SUSPENSION OF SUCH RETAIL LICENSE.

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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