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

4594

2009-2010 Regular Sessions

I N A S S E M B L Y

February 5, 2009

Introduced by M. of A. COOK -- Multi-Sponsored by -- M. of A. CLARK, HOOPER -- 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 requiring retail licensees for on-premises consumption to maintain devices which measure blood alcohol content for optional use by patrons

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

Section 1. Section 106 of the alcoholic beverage control law is amended by adding a new subdivision 18 to read as follows:

18. EACH RETAIL LICENSEE FOR ON-PREMISES CONSUMPTION SHALL KEEP AND MAINTAIN UPON THE LICENSED PREMISES A DEVICE APPROVED BY THE AUTHORITY WHICH MEASURES BLOOD ALCOHOL CONTENT. SUCH DEVICE SHALL BE LOCATED IN ANY AREA EASILY ACCESSIBLE TO PATRONS AND SHALL BE MADE AVAILABLE FOR USE BY PATRONS AT NO CHARGE.

S 2. Section 109 of the alcoholic beverage control law is amended by adding a new subdivision 3 to read as follows:

3. ANY RENEWAL OF A LICENSE TO SELL AT RETAIL FOR ON-PREMISES CONSUMPTION SHALL BE ACCOMPANIED BY PROOF THAT SUCH PREMISES IS EQUIPPED WITH A DEVICE TO MEASURE BLOOD ALCOHOL CONTENT PURSUANT TO SECTION ONE HUNDRED SIX OF THIS ARTICLE.

S 3. This act shall take effect on the sixtieth day after it shall have become a law, provided, however that the state liquor authority shall promulgate any rules or regulations necessary for the timely implementation of this act 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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