

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,
HOOVER -- read once and referred to the Committee on Economic Develop-
ment, 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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

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

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

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

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

14 S 3. This act shall take effect on the sixtieth day after it shall
15 have become a law, provided, however that the state liquor authority
16 shall promulgate any rules or regulations necessary for the timely
17 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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