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

4972

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

Introduced by M. of A. BRODSKY -- 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 permitting licensees authorized to sell liquor at retail for consumption off the premises to sell cigars

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

Section 1. Subdivision 4 of section 63 of the alcoholic beverage control law, as amended by chapter 603 of the laws of 1992, is amended to read as follows:

4. No licensee under this section shall be engaged in any other business on the licensed premises. The sale of lottery tickets, when duly authorized and lawfully conducted, the sale of corkscrews or the sale of ice or the sale of publications, including prerecorded video and/or audio cassette tapes, designed to help educate consumers in their knowledge and appreciation of wine and wine products, as defined in section three of this chapter, or the sale of non-carbonated, non-flavored mineral waters, spring waters and drinking waters or the sale of glasses designed for the consumption of wine, racks designed for the storage of wine, and devices designed to minimize oxidation in bottles of wine which have been uncorked, THE SALE AT RETAIL OF CIGARS WHICH HAVE BEEN PREPACKAGED BY THE MANUFACTURER IN BOXES OF TEN OR MORE, OR THE SALE OF PUBLICATIONS DESIGNED TO HELP EDUCATE CONSUMERS IN THEIR KNOWLEDGE AND APPRECIATION OF CIGAR PRODUCTS shall not constitute engaging in another business within the meaning of this subdivision. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NO LICENSEE UNDER THIS SECTION SHALL SELL CIGARS TO ANY PERSON LESS THAN TWENTY-ONE YEARS OF AGE.

S 2. This act shall take effect immediately.

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

LBD08662-01-9