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

9923--A

I N A S S E M B L Y

February 11, 2010

Introduced by M. of A. DESTITO -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry -- 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 beer and/or malt beverage tasting permits

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

Section 1. Paragraphs (a) and (b) of subdivision 8 of section 51 of the alcoholic beverage control law, as amended by chapter 439 of the laws of 2007, are amended to read as follows:

(a) A licensee or his or her employee, or a brewer or manufacturer as defined in section three of this chapter OR ITS EMPLOYEE OR REPRESENTATIVE, or an importer having a basic permit as required by section 1.20 of title 27 of the code of federal regulations OR ITS EMPLOYEE OR REPRESENTATIVE, may obtain a permit to serve small samples of beer or malt beverages he or she produces or imports at establishments licensed under section fifty-four or fifty-four-a of this article. Furthermore such permit may also be obtained for serving small samples of beer or malt beverages produced or imported by such licensee, brewer, manufacturer or importer at annual fairs sponsored by agricultural and horticultural societies as defined in section fourteen hundred nine of the not-for-profit corporation law, and for sampling at the licensed premises of the holder of a wholesaler's license under section fifty-three of this article issued or renewed prior to July first, nineteen hundred sixty, and thereafter renewed or transferred, which authorizes the holder thereof to sell beer at retail to a person for consumption in his or her home. FOR PURPOSES OF THIS PARAGRAPH, A REPRESENTATIVE SHALL NOT INCLUDE A PERSON LICENSED UNDER SECTION FIFTY-THREE OF THIS ARTICLE OR HIS OR HER EMPLOYEES.

(b) The fee for a temporary brewer tasting permit shall be twenty dollars and shall be issued by the authority and dated for its period of use, which shall not exceed three days. [A licensee] AN APPLICANT FOR SUCH PERMIT may also apply for an annual brewer tasting permit for a fee of one thousand dollars which shall be issued by the authority.

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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