

1404

2009-2010 Regular Sessions

I N S E N A T E

January 29, 2009

Introduced by Sens. MAZIARZ, FLANAGAN, GOLDEN, MORAHAN, VOLKER -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the alcoholic beverage control law, in relation to additional penalties for prohibited sales of alcoholic beverages

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

1 Section 1. The alcoholic beverage control law is amended by adding a
2 new section 65-e to read as follows:
3 S 65-E. ADDITIONAL PENALTIES FOR PROHIBITED SALES OF ALCOHOLIC BEVER-
4 AGES. IF A DETERMINATION IS MADE SUSTAINING A CHARGE VIOLATING SUBDIVI-
5 SION TWO OF SECTION 260.20 OF THE PENAL LAW, IN ADDITION TO THE IMPOSI-
6 TION OF ANY OTHER PENALTY AUTHORIZED UNDER SUCH LAW THE COURT SHALL
7 SUSPEND SUCH PERSON'S LICENSE TO DRIVE A MOTOR VEHICLE AND THE PRIVILEGE
8 OF AN UNLICENSED PERSON OF OBTAINING SUCH LICENSE, FOR A PERIOD OF THIR-
9 TY DAYS FOR A FIRST OFFENSE, NINETY DAYS FOR A SECOND OFFENSE AND ONE
10 YEAR FOR A THIRD OFFENSE OR ANY SUBSEQUENT OFFENSE. HOWEVER, THE COURT
11 MAY ISSUE AN ORDER PERMITTING SUCH PERSON TO OPERATE A MOTOR VEHICLE FOR
12 PURPOSES OF THE PERSON'S EMPLOYMENT, ATTENDANCE AT SCHOOL OR TO COURT
13 COUNSELING PROGRAMS DURING THE HOURS OF THE DAY AND THE DAYS OF THE WEEK
14 SET FORTH IN THE ORDER. PROVIDED, HOWEVER, THE PROVISIONS OF THIS
15 SECTION SHALL NOT APPLY TO A PERSON LICENSED UNDER THIS CHAPTER.
16 S 2. This act shall take effect on the first of November next succeed-
17 ing the date on which it shall have become a law.

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

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