

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the alcoholic beverage control law, in relation to licenses to sell liquor for off-premises consumption near schools

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

1 Section 1. Paragraph (a) of subdivision 3 of section 105 of the alco-
2 holic beverage control law, as amended by chapter 406 of the laws of
3 2007, is amended to read as follows:
4 (a) No retail license to sell liquor and/or wine for off-premises
5 consumption shall be granted for any premises which shall be located on
6 the same street or avenue, and within [two] THREE hundred FIFTY feet of
7 a building occupied exclusively as a school, church, synagogue or other
8 place of worship; the measurements to be taken in a straight line from
9 the center of the nearest entrance to the building used for such school,
10 church, synagogue or other place of worship to the center of the nearest
11 entrance of the premises to be licensed; except, however, that no
12 license shall be denied to any premises at which a license under this
13 chapter has been in existence continuously from a date prior to the date
14 when a building on the same street or avenue and within [two] THREE
15 hundred FIFTY feet of said premises has been occupied exclusively as a
16 school, church, synagogue or other place of worship.
17 S 2. This act shall take effect immediately and shall apply to those
18 licenses issued after such date.

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

LBD03811-01-9