

6272

2009-2010 Regular Sessions

I N S E N A T E

November 6, 2009

Introduced by Sens. C. JOHNSON, LITTLE, VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the alcoholic beverage control law and the state finance law, in relation to establishing the alcoholic beverage control enforcement fund

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

1 Section 1. Section 125 of the alcoholic beverage control law is
2 amended to read as follows:
3 S 125. Disposition of moneys received for license fees. The moneys
4 received for license fees provided for in this chapter shall be turned
5 over by the liquor authority to the state comptroller. [It] ONE-HALF OF
6 SUCH MONEYS shall be placed by the state comptroller in the fund derived
7 from the proceeds of the taxes on liquor, wine and beer provided for in
8 article eighteen of the tax law and become a part thereof and be subject
9 to all of the provisions of law relating to such fund. THE REMAINING
10 ONE-HALF OF SUCH MONEYS SHALL BE DEPOSITED BY THE STATE COMPTROLLER IN
11 AND CREDITED TO THE ALCOHOLIC BEVERAGE CONTROL ENFORCEMENT FUND ESTAB-
12 LISHED PURSUANT TO SECTION EIGHTY-ONE OF THE STATE FINANCE LAW.
13 S 2. The state finance law is amended by adding a new section 81 to
14 read as follows:
15 S 81. ALCOHOLIC BEVERAGE CONTROL ENFORCEMENT FUND. 1. THERE IS HEREBY
16 ESTABLISHED IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND
17 FINANCE AND THE STATE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE
18 "ALCOHOLIC BEVERAGE CONTROL ENFORCEMENT FUND".
19 2. THE ALCOHOLIC BEVERAGE CONTROL ENFORCEMENT FUND SHALL CONSIST OF
20 ALL MONEYS RECEIVED BY THE STATE COMPTROLLER FOR DEPOSIT IN SUCH FUND
21 PURSUANT TO SECTION ONE HUNDRED TWENTY-FIVE OF THE ALCOHOLIC BEVERAGE
22 CONTROL LAW AND ANY OTHER MONEYS MADE AVAILABLE FOR THE PURPOSES OF THE
23 FUND.

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

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1 3. MONEYS IN THE ALCOHOLIC BEVERAGE CONTROL ENFORCEMENT FUND SHALL BE
2 KEPT SEPARATE AND SHALL NOT BE COMMINGLED WITH ANY OTHER MONEYS IN THE
3 CUSTODY OF THE COMPTROLLER.

4 4. THE MONEYS OF THE ALCOHOLIC BEVERAGE CONTROL ENFORCEMENT FUND SHALL
5 BE MADE AVAILABLE TO THE STATE LIQUOR AUTHORITY FOR THE PURPOSES OF
6 IMPLEMENTING AND ENFORCING THE PROVISIONS OF THE ALCOHOLIC BEVERAGE
7 CONTROL LAW.

8 S 3. This act shall take effect immediately.