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2009-2010 Regular Sessions

I N S E N A T E

January 9, 2009

Introduced by Sen. MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the alcoholic beverage control law, in relation to sale of products complementary to wine and wine products

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

1 Section 1. Subdivision 4 of section 63 of the alcoholic beverage
2 control law, as amended by chapter 603 of the laws of 1992, is amended
3 to read as follows:
4 4. No licensee under this section shall be engaged in any other busi-
5 ness on the licensed premises. The sale of lottery tickets, when duly
6 authorized and lawfully conducted, the sale of corkscrews or the sale of
7 ice or the sale of publications, including prerecorded video and/or
8 audio cassette tapes, designed to help educate consumers in their know-
9 ledge and appreciation of wine and wine products, as defined in section
10 three of this chapter, or the sale of non-carbonated, non-flavored
11 mineral waters, spring waters and drinking waters or the sale of glasses
12 designed for the consumption of wine, racks designed for the storage of
13 wine, [and] devices designed to minimize oxidation in bottles of wine
14 which have been uncorked, AND PRODUCTS COMPLEMENTARY TO WINE INCLUDING
15 CHOCOLATES, BAKERY PRODUCTS, PERISHABLE CHEESES AND FRUITS shall not
16 constitute engaging in another business within the meaning of this
17 subdivision. CHOCOLATES, BAKERY PRODUCTS, PERISHABLE CHEESES AND FRUITS
18 COMPLEMENTARY TO WINE SHALL NOT BE SOLD EXCEPT WHEN SUCH AGGREGATE SALE
19 INCLUDES ONE OR MORE BOTTLES OF WINE.
20 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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