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

8217--A

I N S E N A T E

June 16, 2010

Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- 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 the issuance of permits authorizing institutions of higher education to deliver or cause to be delivered alcoholic beverages to a person who is at least twenty-one years of age enrolled in a course or courses approved by the institution of higher education and conducted by an instructor or instructors engaged by the institution of higher education

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

Section 1. Paragraph m of subdivision 1 of section 99-b of the alcoholic beverage control law, as added by chapter 237 of the laws of 2008, is amended to read as follows:

m. (1) An institution of higher education operating under authority granted by the state education department, to deliver or cause to be delivered alcoholic beverages to a person who is at least twenty-one years of age [enrolled in a single class or course of classes authorized by the institution of higher education and conducted] IN CONNECTION WITH THE TEACHING by an instructor or instructors engaged by the institution of higher education, OF A SINGLE COURSE CONSISTING OF A SINGLE CLASS OR ANY AND ALL COURSES HELD DURING THE ACADEMIC CALENDAR YEAR CONSISTING OF A SINGLE CLASS OR MULTIPLE CLASSES, PROVIDED THAT SUCH PERSON IS ENROLLED IN THE COURSE, provided that such person's imbibing or tasting of such alcoholic beverages is a required part of the [class or course of classes] COURSE, and provided that such person's imbibing or tasting of such alcoholic beverages is only for instructional purposes. No alcoholic beverage shall be delivered, or shall be permitted to be delivered, to a person under twenty-one years of age during any class conducted under the authority of [such permit, and the] A PERMIT ISSUED PURSUANT TO THIS PARAGRAPH. THE provisions of subdivision five of section sixty-five and paragraph (a) of subdivision two of section

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

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sixty-five-c of this chapter, WHICH PERTAIN TO THE DELIVERY OF ALCOHOLIC BEVERAGES TO PERSONS UNDER THE AGE OF TWENTY-ONE YEARS IN CONNECTION WITH THE TEACHING OF A FORMAL DEGREE PROGRAM WHOSE CURRICULUM HAS BEEN LICENSED OR REGISTERED BY THE STATE EDUCATION DEPARTMENT, shall not apply to any delivery made during any class conducted under the authority of [such] A permit ISSUED PURSUANT TO THIS PARAGRAPH. NO LESS THAN THIRTY DAYS ADVANCE NOTICE TO THE LIQUOR AUTHORITY OF THE DATE, TIME AND PLACE OF EACH AND EVERY CLASS TO BE HELD UNDER THE AUTHORITY OF A PERMIT ISSUED PURSUANT TO THIS PARAGRAPH SHALL BE PROVIDED BY THE INSTITUTION OF HIGHER EDUCATION.

(2) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, AN INSTITUTION OF HIGHER EDUCATION ISSUED A PERMIT PURSUANT TO THIS PARAGRAPH SHALL BE AUTHORIZED TO PURCHASE ALCOHOLIC BEVERAGES FROM PREMISES LICENSED PURSUANT TO SECTION SIXTY-THREE OF THIS CHAPTER.

S 2. This act shall take effect immediately.