

10013

I N A S S E M B L Y

February 24, 2010

Introduced by M. of A. STIRPE -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the alcoholic beverage control law, in relation to cooperative agreements by licensees to sell at retail for consumption off the premises

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

1 Section 1. Section 105 of the alcoholic beverage control law is
2 amended by adding a new subdivision 24 to read as follows:
3 24. COOPERATIVE AGREEMENTS BY LICENSEES TO SELL AT RETAIL FOR CONSUMP-
4 TION OFF THE PREMISES. FOR THE PURPOSES OF PURCHASING ONLY, ANY TWO OR
5 MORE PERSONS LICENSED PURSUANT TO SECTIONS SIXTY-THREE AND/OR
6 SEVENTY-NINE OF THIS CHAPTER MAY JOIN IN AN AGREEMENT TO MAKE JOINT
7 PURCHASES OF LIQUOR AND/OR WINE IN LARGER QUANTITIES THAN MIGHT OTHER-
8 WISE BE PURCHASED; PROVIDED, HOWEVER, THAT ALL SUCH ALCOHOLIC BEVERAGES
9 PURCHASED PURSUANT TO ANY SUCH AGREEMENT SHALL BE DISTRIBUTED TO NONE
10 OTHER THAN A LICENSEE WHO IS A PARTY TO SUCH AGREEMENT. THE COOPERATIVE
11 AGREEMENTS, AS AUTHORIZED UNDER THIS SUBDIVISION, SHALL BE VOID IF,
12 WITHIN A CITY WITH A POPULATION OF ONE MILLION OR MORE, THE PREMISES
13 OPERATING UNDER THE COOPERATIVE AGREEMENTS AUTHORIZED IN THIS SUBDIVI-
14 SION ARE LOCATED MORE THAN ONE MILE FROM ONE ANOTHER. THE COOPERATIVE
15 AGREEMENTS, AS AUTHORIZED UNDER THIS SUBDIVISION, SHALL BE VOID IF,
16 OUTSIDE OF A CITY WITH A POPULATION OF ONE MILLION OR MORE, THE PREMISES
17 OPERATING UNDER AGREEMENTS AUTHORIZED IN THIS SUBDIVISION ARE LOCATED
18 MORE THAN FIFTY MILES FROM ONE ANOTHER. THE AUTHORITY MAY PROMULGATE
19 SUCH RULES AND REGULATIONS AS MAY BE NECESSARY TO CARRY OUT THE
20 PROVISIONS OF THIS SUBDIVISION.
21 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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