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I N A S S E M B L Y

March 9, 2010

Introduced by M. of A. GLICK, ROSENTHAL, MILLMAN, COOK, CRESPO, GIBSON, TITUS, JAFFEE -- Multi-Sponsored by -- M. of A. BOYLAND, DenDEKKER, DINOWITZ, FIELDS, GOTTFRIED, HIKIND, HOOPER, KOON, MARKEY, MENG, M. MILLER, NOLAN, ORTIZ, PERRY, ROBINSON -- 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 renewals of licenses and permits

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

1 Section 1. Subdivision 2 of section 109 of the alcoholic beverage
2 control law, as amended by chapter 512 of the laws of 1996, is amended
3 and two new subdivisions 3 and 4 are added to read as follows:

4 2. In the case of any application for renewal of a license under
5 sections fifty-five, fifty-five-a, sixty-four, sixty-four-a,
6 sixty-four-b, eighty-one, and eighty-one-a of this chapter, the liquor
7 authority shall require the applicant to notify the clerk of the
8 village, town or city AND COMMUNITY BOARD wherein the licensed premises
9 is located, in the same manner and under the same requirements as set
10 forth in subdivision two-a of section sixty-four of this chapter.

11 3. THE LIQUOR AUTHORITY SHALL CREATE A STANDARDIZED FORM THAT THE
12 MUNICIPALITY AND COMMUNITY BOARD SHALL BE ABLE TO USE TO COMMENT ON THE
13 RENEWAL APPLICATION AND SHALL BE LOOKED AT BY THE LIQUOR AUTHORITY IN
14 CONSIDERATION OF GRANTING THE RENEWAL. THIS FORM SHALL BECOME PART OF
15 THE RECORD IN THE RENEWAL APPLICATION PROCEEDINGS.

16 4. IN THE EVENT THAT THE RECOMMENDATION FROM THE COMMUNITY BOARD IS A
17 NEGATIVE DECLARATION, THE LIQUOR AUTHORITY SHALL HOLD A PUBLIC HEARING
18 TO ELICIT INFORMATION FROM THE COMMUNITY BEFORE A DETERMINATION ON THE
19 RENEWAL APPLICATION IS MADE.

20 S 2. This act shall take effect on the one hundred twentieth day after
21 it shall have become a law; provided, however, that effective immediate-
22 ly, the addition, amendment and/or repeal of any rule or regulation
23 necessary for the implementation of this act on its effective date are
24 authorized and directed to be made and completed on or before such
25 effective date.

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

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