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

10569

I N A S S E M B L Y

April 7, 2010

Introduced by M. of A. SCHIMMINGER -- 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 adding electronic funds transfers to the definition of cash

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

Section 1. Paragraph g of subdivision 1 of section 101-aaa of the alcoholic beverage control law, as added by section 183 of part A of chapter 389 of the laws of 1997, is amended to read as follows:

g. "Cash" means and includes currency and coin of the United States of America, certified check, money order, ELECTRONIC FUNDS TRANSFER, bank officer's check or draft, or a check drawn on the account of the retail licensee payable to the manufacturer or wholesaler and dated no later than the date of delivery of the alcoholic beverages and which is honored upon presentment for payment; provided, however, that if any check or other instrument described in this paragraph tendered by a retail licensee on the delinquent list is not honored upon presentment for payment, the license of such retail licensee may be suspended for not more than fifteen days for the first offense, and not more than sixty days for a subsequent offense, which penalty shall be in addition to the penalty provided for by the provisions of [sudivision] SUBDIVISION six of this section, and provided further, that nothing in this section shall require a manufacturer or wholesaler to accept a check tendered by or drawn on the account of a retail licensee on the delinquent list unless the same has been certified.

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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