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

2325

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. MAGEE, CAHILL, HOYT -- Multi-Sponsored by -- M. of A. BING, CYMBROWITZ, FIELDS, GALEF, GOTTFRIED, GUNTHER, KELLNER, LUPARDO, MAISEL, REILLY, SCHROEDER, SWEENEY -- 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 permitting certain brewers to sell beer at fairs and farmers' markets

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

Section 1. Subdivision 5 of section 51 of the alcoholic beverage control law, as amended by chapter 100 of the laws of 1940, is amended to read as follows:

5. A LICENSED BREWER WHOSE ANNUAL PRODUCTION IS LESS THAN SIXTY THOUSAND BARRELS MAY APPLY TO THE LIQUOR AUTHORITY FOR A PERMIT TO SELL BEER IN A SEALED CONTAINER FOR OFF-PREMISES CONSUMPTION AT THE STATE FAIR, AT RECOGNIZED COUNTY FAIRS AND AT FARMERS' MARKETS OPERATED ON A NOT-FOR-PROFIT BASIS. AS A CONDITION OF THE PERMIT A REPRESENTATIVE FROM THE BREWER MUST BE PRESENT AT THE TIME OF SALE.

6. Except as otherwise provided in subdivisions three [and], four AND FIVE of this section and except as provided in section fifty-two OF THIS ARTICLE no brewer shall sell any beer, wine or liquor at retail.

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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