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

3573

2009-2010 Regular Sessions

I N A S S E M B L Y

January 27, 2009

Introduced by M. of A. PERRY -- Multi-Sponsored by -- M. of A. JACOBS, TOWNS -- 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 the issuance of temporary carnival licenses; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. The alcoholic beverage control law is amended by adding a new section 97-b to read as follows:

S 97-B. TEMPORARY CARNIVAL LICENSE. 1. THE LIQUOR AUTHORITY IS HEREBY AUTHORIZED TO ISSUE TEMPORARY PERMITS FOR A PERIOD NOT TO EXCEED EIGHTEEN DAYS TO AUTHORIZE THE SALE OF BEER AND WINE AT ASSOCIATED EVENTS LEADING UP TO FESTIVALS, CARNIVALS AND PARADES WITHIN THE HOURS FIXED BY OR PURSUANT TO SUBDIVISION FIVE OF SECTION ONE HUNDRED SIX OF THIS CHAPTER, PROVIDED, HOWEVER, THE DURATION OF THE TEMPORARY CARNIVAL LICENSE SHALL BE MEASURED OVER A PERIOD OF SIX CONSECUTIVE WEEKS, DURING WHICH SUCH TEMPORARY CARNIVAL LICENSE SHALL ONLY BE VALID ON FRIDAY, SATURDAY, AND SUNDAY OF EACH WEEK. THE FEE FOR SUCH PERMIT SHALL BE ONE HUNDRED DOLLARS. SUCH PERMIT AND THE EXERCISE OF THE PRIVILEGE GRANTED THEREBY SHALL BE SUBJECT TO SUCH RULES OF THE LIQUOR AUTHORITY AS IT DEEMS NECESSARY.

2. SUCH RULES SHALL INCLUDE PROCEDURES FOR REVOCATION OF A PERMIT BASED ON COMPLAINTS FROM A GOVERNMENTAL AGENCY, LOCAL POLICE, OR CIVIC ASSOCIATION, AND SHALL BE DEVELOPED IN CONSULTATION WITH LOCAL COMMUNITIES, CARNIVAL ASSOCIATIONS AND MAY INCLUDE CONDITIONS SPECIFIC TO A BOROUGH, COUNTY, OR COMMUNITY BOARD IN THE CITY OF NEW YORK.

3. THE LIQUOR AUTHORITY IS HEREBY AUTHORIZED TO ISSUE SUCH TEMPORARY PERMITS TO GROUPS OR ORGANIZATIONS WHO ARE REGISTERED AS FESTIVAL, CARNIVAL OR PARADE PARTICIPANTS OR DESIGNATED OR ACKNOWLEDGED BY THE PRIME SPONSOR OF SUCH FESTIVAL, CARNIVAL OR PARADE. THE OFFICIAL PRIME

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

LBD01814-01-9

SPONSOR SHALL BE THE ENTITY HOLDING THE PERMIT OR OFFICIAL DOCUMENTATION AUTHORIZING SUCH FESTIVAL, CARNIVAL OR PARADE.

S 2. This act shall take effect on the forty-fifth day after it shall have become a law and shall expire five years after such effective date when upon such date the provisions of this act shall be deemed repealed; provided, however, that effective immediately the liquor authority is hereby authorized to promulgate rules and regulations for the purpose of implementing the provisions of this act on or before such effective date.