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

4449--A

2009-2010 Regular Sessions

I N A S S E M B L Y

February 4, 2009

Introduced by M. of A. REILLY, BRODSKY, CANESTRARI, ABBATE, DESTITO, FIELDS, MILLMAN, COLTON, DelMONTE, CHRISTENSEN, BRADLEY, SCHROEDER, KOON, TITONE, ZEBROWSKI, LUPARDO -- Multi-Sponsored by -- M. of A. BRENNAN, CAHILL, EDDINGTON, GALEF, GOTTFRIED, HYER-SPENCER, JOHN, MAGEE, MAISEL, McENENY, O'DONNELL, PHEFFER, RUSSELL, SCARBOROUGH, SWEENEY, WEISENBERG -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the alcoholic beverage control law, in relation to authorizing liquor retailers to sell or have for sale gift bags

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

Section 1. Subdivision 4 of section 63 of the alcoholic beverage control law, as amended by chapter 603 of the laws of 1992, is amended to read as follows:

4. No licensee under this section shall be engaged in any other business on the licensed premises. The sale of lottery tickets, when duly authorized and lawfully conducted, the sale of corkscrews or the sale of ice or the sale of publications, including prerecorded video and/or audio cassette tapes, designed to help educate consumers in their knowledge and appreciation of wine and wine products, as defined in section three of this chapter, or the sale of non-carbonated, non-flavored mineral waters, spring waters and drinking waters or the sale of glasses designed for the consumption of wine, racks designed for the storage of wine, OR THE SALE OF GIFT BAGS and devices designed to minimize oxidation in bottles of wine which have been uncorked, shall not constitute engaging in another business within the meaning of this subdivision.

S 2. This act shall take effect immediately.

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

LBD07223-02-9