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

2994

2009-2010 Regular Sessions

I N  S E N A T E

March 9, 2009

Introduced by Sen. ESPADA -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the alcoholic beverage control law, in relation to permitting a liquor retailer for off-site consumption to register three liquor stores under one license, and permitting such liquor retailers to sell certain food items

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 FOOD ITEMS SOLD IN SMALL QUANTITIES AND ASSOCIATED WITH THE CONSUMPTION OF ALCOHOL, INCLUDING, BUT NOT LIMITED TO, SMALL PORTIONS OF NUTS, CRACKERS, CHEESE, OLIVES AND MINIATURE BREADS, OR the sale of glasses designed for the consumption of wine, racks designed for the storage of wine, 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. Subdivision 3 of section 63 of the alcoholic beverage control law is amended to read as follows:

3. Such license shall in form and in substance be a license to the person specifically designated therein to sell liquor in [the] ALL prem-

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

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ises specifically licensed at retail for off-premise consumption and shall also include the privilege to sell wine under the same terms and conditions without the payment of any additional fee. SUCH PERSON LICENSED FOR THE SALE OF LIQUOR FOR OFF-PREMISE CONSUMPTION SHALL BE PERMITTED TO REGISTER UP TO THREE PREMISES UNDER SUCH LICENSE.

S 3. This act shall take effect immediately.