

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:

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

4 4. No licensee under this section shall be engaged in any other busi-  
5 ness on the licensed premises. The sale of lottery tickets, when duly  
6 authorized and lawfully conducted, the sale of corkscrews or the sale of  
7 ice or the sale of publications, including prerecorded video and/or  
8 audio cassette tapes, designed to help educate consumers in their know-  
9 ledge and appreciation of wine and wine products, as defined in section  
10 three of this chapter, or the sale of non-carbonated, non-flavored  
11 mineral waters, spring waters and drinking waters or THE SALE OF FOOD  
12 ITEMS SOLD IN SMALL QUANTITIES AND ASSOCIATED WITH THE CONSUMPTION OF  
13 ALCOHOL, INCLUDING, BUT NOT LIMITED TO, SMALL PORTIONS OF NUTS, CRACK-  
14 ERS, CHEESE, OLIVES AND MINIATURE BREADS, OR the sale of glasses  
15 designed for the consumption of wine, racks designed for the storage of  
16 wine, and devices designed to minimize oxidation in bottles of wine  
17 which have been uncorked, shall not constitute engaging in another busi-  
18 ness within the meaning of this subdivision.

19 S 2. Subdivision 3 of section 63 of the alcoholic beverage control law  
20 is amended to read as follows:

21 3. Such license shall in form and in substance be a license to the  
22 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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1 ises specifically licensed at retail for off-premise consumption and  
2 shall also include the privilege to sell wine under the same terms and  
3 conditions without the payment of any additional fee. SUCH PERSON  
4 LICENSED FOR THE SALE OF LIQUOR FOR OFF-PREMISE CONSUMPTION SHALL BE  
5 PERMITTED TO REGISTER UP TO THREE PREMISES UNDER SUCH LICENSE.  
6 S 3. This act shall take effect immediately.