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

3221

2009-2010 Regular Sessions

I N S E N A T E

March 12, 2009

Introduced by Sens. MAZIARZ, PADAVAN, VOLKER -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to establishing certain persons engaged in the sale of alcoholic beverages for off premise consumption may not advertise the sale of such beverages

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

Section 1. The general business law is amended by adding a new section 396-jj to read as follows:

S 396-JJ. ADVERTISEMENTS BY CERTAIN PERSONS ENGAGED IN THE SALE OF ALCOHOLIC BEVERAGES FOR OFF PREMISE CONSUMPTION. ANY PERSON NOT LICENSED PURSUANT TO THE ALCOHOLIC BEVERAGE CONTROL LAW WHO IS OTHERWISE AUTHORIZED TO TRAFFIC IN ALCOHOLIC BEVERAGES SHALL NOT SEND, CAUSE TO BE SENT, PUBLISH OR CAUSE TO BE ISSUED OR PUBLISHED INTO THE STATE ANY LETTER, POSTCARD, CIRCULAR, NEWSPAPER, PAMPHLET, ORDER KIT, ORDER FORM, INVITATION TO ORDER, PRICE LIST, OR PUBLICATION OF ANY KIND CONTAINING AN ADVERTISEMENT OR A SOLICITATION OF ANY ORDER FOR ANY ALCOHOLIC BEVERAGES, IRRESPECTIVE OF WHETHER THE PURCHASE IS MADE OR TO BE MADE WITHIN OR WITHOUT THE STATE, OR WHETHER INTENDED FOR COMMERCIAL OR PERSONAL USE OR OTHERWISE. ANY PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION SHALL BE GUILTY OF A MISDEMEANOR.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

LBD06138-01-9