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

5440

2009-2010 Regular Sessions

I N S E N A T E

May 5, 2009

Introduced by Sen. VALESKY -- 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 allowing a licensed winery or farm winery to sell wine for consumption upon the premises of a food festival or similar event

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

Section 1. Section 76 of the alcoholic beverage control law is amended by adding a new subdivision 8 to read as follows:

8. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, A LICENSED WINERY OR FARM WINERY MAY SELL WINE FOR CONSUMPTION UPON THE PREMISES OF A FOOD FESTIVAL OR SIMILAR EVENT AT WHICH FOOD IS WIDELY AVAILABLE WITHOUT OBTAINING ANY ADDITIONAL PERMISSION OR PAYMENT OF ANY ADDITIONAL FEE, PROVIDED THAT SUCH WINERY APPLIES FOR, IS GRANTED AND MAINTAINS REGISTRATION AS A PARTICIPANT IN SUCH FESTIVAL OR EVENT AND SUCH WINE IS SOLD AND DISPENSED IN AMOUNTS OF TEN OUNCES OR LESS AND FURTHER PROVIDED THAT CONSUMPTION OF SUCH WINE MAY, WITH THE WRITTEN PERMISSION OF THE CITY, TOWN OR VILLAGE IN WHICH THE FESTIVAL OR SIMILAR EVENT IS HELD, OCCUR ANYWHERE UPON THE PREMISES OF SUCH FESTIVAL OR EVENT.

S 2. This act shall take effect immediately.

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

LBD11717-01-9