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

S. 5758 A. 8683

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

June 3, 2009

IN SENATE -- Introduced by Sen. ADAMS -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

IN ASSEMBLY -- Introduced by M. of A. JEFFRIES, CAMARA, SPANO, ROBINSON, KOLB, ALFANO, SCHIMEL, ERRIGO -- Multi-Sponsored by -- M. of A. REILLY, WALKER, WEISENBERG -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the administrative code of the city of New York, in relation to regulation of certain events promoted and open to minors

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

Section 1. This act shall be known and may be cited as "Nyasia's Law".

S 2. The administrative code of the city of New York is amended by adding a new section 10-168 to read as follows:

S 10-168 REGULATION OF EVENTS PROMOTED TO PERSONS UNDER THE AGE OF EIGHTEEN YEARS AT CERTAIN PUBLIC VENUES. NO PERSON, FIRM, CORPORATION OR OTHER ENTITY SHALL ORGANIZE, SPONSOR OR OPERATE ANY EVENT OR ACTIVITY, AS FURTHER DEFINED IN THIS SECTION, WHICH SHALL BE PROMOTED AND/OR OPEN TO PERSONS UNDER THE AGE OF EIGHTEEN, EXCEPT AS PROVIDED IN THIS SECTION.

A. THE SPONSOR, PROMOTER OR ORGANIZER OF AN EVENT SUBJECT TO THIS SECTION SHALL OBTAIN A PERMIT FROM THE POLICE COMMISSIONER. APPLICATION FOR SUCH PERMIT SHALL BE MADE IN WRITING TO THE LOCAL POLICE DEPARTMENT AT LEAST THIRTY DAYS PRIOR TO SUCH EVENT, UPON A SUITABLE FORM PRESCRIBED AND FURNISHED BY THE COMMISSIONER. APPROVAL OR DENIAL OF SUCH PERMIT SHALL BE MADE AT LEAST TEN DAYS PRIOR TO SUCH EVENT. SUCH APPLICATION SHALL INCLUDE ANY INFORMATION AS THE COMMISSIONER SHALL REQUIRE.

B. THE SPONSOR, PROMOTER OR ORGANIZER SHALL FILE A DETAILED SECURITY PLAN WITH THE PERMIT APPLICATION. SUCH PLAN SHALL ENSURE ADHERENCE TO CAPACITY RESTRICTIONS OF THE VENUE, PROVIDE SUFFICIENT SECURITY PERSON-

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

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NEL, ENSURE THAT NO ALCOHOL WILL BE SOLD OR DISTRIBUTED, REQUIRE THAT ATTENDEES PROVIDE IDENTIFICATION PRIOR TO ENTERING THE VENUE AND OUTLINE WEAPONS DETECTION MEASURES THAT WILL BE TAKEN. SUCH PLAN SHALL BE APPROVED BY THE POLICE COMMISSIONER OR HIS OR HER DESIGNEE IN THE LOCAL POLICE DEPARTMENT.

C. AN EVENT OR ACTIVITY SUBJECT TO THIS SECTION MAY ONLY BE HELD ON A WEEKEND OR ON ANY DATE WHICH IS IMMEDIATELY PRIOR TO AN OFFICIAL STATE HOLIDAY. NO SUCH EVENT SHALL BE PERMITTED TO OPERATE AFTER 1:00 AM.

D. THE PROVISIONS OF THIS SECTION SHALL APPLY TO ANY EVENT OR ACTIVITY WHICH IS OPEN TO PERSONS UNDER THE AGE OF EIGHTEEN YEARS, FOR WHICH A FEE IS CHARGED, WHERE THE CAPACITY OF THE VENUE EXCEEDS FIFTY PERSONS, WHICH IS HELD IN A VENUE HOLDING A CABARET OR PUBLIC DANCE HALL LICENSE AS REQUIRED UNDER SECTION 20-360 OF THIS CODE, AND AT WHICH THE PRIMARY PURPOSE OF THE PERSON CONDUCTING OR OPERATING THE EVENT IS FOR PATRONS TO DANCE AS THAT TERM IS COMMONLY DEFINED.

E. ANY PERSON WHO SHALL VIOLATE OR FAIL TO COMPLY WITH THE PROVISIONS OF THIS SECTION SHALL BE GUILTY OF A VIOLATION AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED BY A FINE NOT TO EXCEED FIVE THOUSAND DOLLARS FOR A FIRST VIOLATION, TEN THOUSAND DOLLARS FOR A SECOND VIOLATION AND TWENTY-FIVE THOUSAND DOLLARS FOR ANY SUBSEQUENT VIOLATION.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.