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

10190

I N A S S E M B L Y

May 10, 2012

Introduced by M. of A. SCHIMMINGER -- read once and referred to the Committee on Economic Development

AN ACT to amend the alcoholic beverage control law, in relation to the terms of sale of alcoholic beverages

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

Section 1. Subdivision 2 of section 101-aa of the alcoholic beverage control law, as amended by chapter 84 of the laws of 2004, is amended to read as follows:

2. No manufacturer or wholesaler licensed under this chapter shall sell or deliver any [alcoholic beverages] LIQUOR OR WINE to any retail licensee except AS PROVIDED FOR IN THIS SECTION:

(A) for cash to be paid at the time of delivery; or

(B) on terms requiring payment by such retail licensee for such alcoholic beverages on or before the final payment date of the credit period for which delivery is made.

S 2. Subdivision 2 of section 101-aaa of the alcoholic beverage control law, as added by section 183 of part A of chapter 389 of the laws of 1997, is amended to read as follows:

2. No manufacturer or wholesaler licensed under this chapter shall sell or deliver any beer, CIDER or wine products to any retail licensee except AS PROVIDED FOR IN THIS SECTION:

(A) for cash to be paid at the time of delivery; or

(B) on terms requiring payment by such retail licensee for such beer, CIDER, or wine products on or before the final payment date of any credit period within which delivery is made.

PROVIDED, HOWEVER, THAT THE SALE OF WINE PRODUCTS OR CIDER TO A RETAIL LICENSEE BY A WHOLESALER LICENSED UNDER SECTION FIFTY-EIGHT, SIXTY-TWO, OR SEVENTY-EIGHT OF THIS CHAPTER, OR A LICENSED MANUFACTURER OF LIQUOR OR WINE OR A CIDER PRODUCER'S LICENSE, SHALL BE GOVERNED BY THE PROVISIONS OF SECTION ONE HUNDRED-ONE-AA OF THIS ARTICLE.

S 3. This act shall take effect immediately.

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

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