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

9322

I N A S S E M B L Y

February 16, 2012

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

AN ACT to amend the alcoholic beverage control law, in relation to prohibited sales of alcoholic beverages

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

Section 1. Section 65 of the alcoholic beverage control law is amended by adding a new subdivision 8 to read as follows:

8. WHERE A PERSON HAS PREVIOUSLY BEEN FOUND TO HAVE VIOLATED THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION, UPON A SUBSEQUENT CHARGE OF SUCH VIOLATION WITHIN A TWELVE MONTH PERIOD THE ISSUING OFFICER SHALL TAKE THE LICENSE OF SUCH PERSON AND FORWARD IT TO THE AUTHORITY ACCOMPANIED BY A NOTICE STATING THAT SUCH LICENSE WAS REMOVED BY THE OFFICER PURSUANT TO THE PROVISIONS OF THIS SUBDIVISION. THE HOLDER OF A LICENSE REMOVED HEREUNDER SHALL BE REQUIRED TO POST A BOND IN AN AMOUNT TO BE DETERMINED BY THE COURT AT A HEARING FOLLOWING THE VIOLATION.

S 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

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

LBD08643-01-1