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

6431--A

2011-2012 Regular Sessions

I N A S S E M B L Y

March 16, 2011

Introduced by M. of A. LAVINE, ZEBROWSKI, P. RIVERA, REILLY, GUNTHER, GALEF, LIFTON, M. MILLER, THIELE, ROBERTS, TITONE, CAHILL, LINARES, SCHIMEL -- Multi-Sponsored by -- M. of A. ABBATE, BARCLAY, BOYLAND, BRENNAN, BURLING, BUTLER, CERETTO, CROUCH, DUPREY, FINCH, GIGLIO, GOODELL, GRAF, McLAUGHLIN, MONTESANO, MURRAY, RABBITT, RAIA, REILICH, SALADINO, SAYWARD, SWEENEY -- read once and referred to the Committee on Economic Development -- recommitted to the Committee on Economic Development in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the alcoholic beverage control law, in relation to the sale of non-food wine or liquor supplies, accessories and/or barware

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

Section 1. Subdivision 4 of section 63 of the alcoholic beverage control law, as amended by chapter 603 of the laws of 1992, is amended to read as follows:

4. No licensee under this section shall be engaged in any other business on the licensed premises. The sale of lottery tickets, when duly authorized and lawfully conducted, the sale of corkscrews or the sale of ice or the sale of publications, including prerecorded video and/or audio cassette tapes, designed to help educate consumers in their knowledge and appreciation of wine and wine products, as defined in section three of this chapter, or the sale of non-carbonated, non-flavored mineral waters, spring waters and drinking waters or the [sale of glasses designed for the consumption of wine, racks designed for the storage of wine, and devices designed to minimize oxidation in bottles of wine which have been uncorked] *SALE OF NON-FOOD WINE OR LIQUOR SUPPLIES, ACCESSORIES AND/OR BARWARE, WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO, ANY ITEM UTILIZED FOR THE STORAGE, TRANSPORT, SERVING OR CONSUMPTION OF WINE OR LIQUOR OR FOR DECORATIVE PURPOSES WHETHER SOLD AS SINGLE ITEMS*

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

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OR COMBINED INTO A PACKAGE CONTAINING WINE OR LIQUOR, shall not constitute engaging in another business within the meaning of this subdivision.

S 2. This act shall take effect immediately.