

7207

I N S E N A T E

May 2, 2012

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

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:

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

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

7 (A) for cash to be paid at the time of delivery; or  
8 (B) on terms requiring payment by such retail licensee for such alco-  
9 holic beverages on or before the final payment date of the credit period  
10 for which delivery is made.

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

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

17 (A) for cash to be paid at the time of delivery; or  
18 (B) on terms requiring payment by such retail licensee for such beer,  
19 CIDER, or wine products on or before the final payment date of any cred-  
20 it period within which delivery is made.

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

26 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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