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

3869

2013-2014 Regular Sessions

I N A S S E M B L Y

January 29, 2013

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

AN ACT to amend the alcoholic beverage control law, in relation to requiring license and renewal applicants to indicate the type of establishment to be operated

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

Section 1. Paragraphs (f), (g) and (h) of subdivision 1 of section 110 of the alcoholic beverage control law are relettered paragraphs (g), (h) and (i) and a new paragraph (f) is added to read as follows:

(F) A STATEMENT INDICATING THE TYPE OF ESTABLISHMENT TO BE OPERATED AT THE PREMISES. SUCH STATEMENT SHALL INDICATE THE OCCURRENCE OF TOPLESS ENTERTAINMENT AND/OR EXOTIC DANCING WHETHER TOPLESS OR OTHERWISE, INCLUDING, BUT NOT LIMITED TO, POLE DANCING AND LAP DANCING, AT THE ESTABLISHMENT.

S 2. Subdivision 6 of section 110 of the alcoholic beverage control law, as amended by chapter 114 of the laws of 2000, is amended to read as follows:

6. The authority may in its discretion waive the submission of any category of information described in this section for any category of license or permit, provided that it shall not be permitted to waive the requirement for submission of any such category of information solely for an individual applicant or applicants AND PROVIDED FURTHER THAT NO WAIVER OF PARAGRAPH (F) OF SUBDIVISION ONE OF THIS SECTION SHALL BE MADE.

S 3. Subdivision 1 of section 109 of the alcoholic beverage control law, as amended by chapter 396 of the laws of 1995, is amended to read as follows:

1. Each license and permit, except a temporary permit effective for one day only, issued pursuant to this chapter may be renewed upon application therefor by the licensee or permittee and the payment of the

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

annual fee for such license or permit as prescribed by this chapter. In the case of applications for renewals, the liquor authority may dispense with the requirements of such statements as it deems unnecessary in view of those contained in the application made for the original license or permit[, but in any event the]; PROVIDED, HOWEVER, THAT NO WAIVER OF PARAGRAPH (F) OF SUBDIVISION ONE OF SECTION ONE HUNDRED TEN OF THIS ARTICLE MAY BE MADE. THE submission of photographs of the licensed premises shall be dispensed with provided the applicant for such renewal shall file a statement with such authority to the effect that there has been no alteration of such premises since the original license was issued. An applicant for a retail license for on-premises consumption shall also submit to the authority a copy of the valid certificate of occupancy or such other document issued by the local code enforcement agency for the premises for which the original license was issued. The liquor authority may make such rules as may be necessary not inconsistent with this chapter regarding applications for renewals of licenses and permits and the time for making the same.

S 4. This act shall take effect on the sixtieth day after it shall have become a law; provided, however, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.