

351--A

2013-2014 Regular Sessions

I N   S E N A T E

(PREFILED)

January 9, 2013

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Introduced by Sens. GALLIVAN, BALL -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- 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 selling of alcoholic beverages; and to repeal certain provisions of such law relating thereto

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

1     Section 1. Paragraph (a) of subdivision 14 of section 105 of the alco-  
2     holic beverage control law, as amended by section 1 of part U of chapter  
3     63 of the laws of 2003, is amended to read as follows:  
4     (a) No premises licensed to sell liquor and/or wine for off-premises  
5     consumption shall be permitted to remain open[:  
6     (i) On Sunday before twelve o'clock post meridian and after nine  
7     o'clock post meridian.  
8     (ii) On] ON any day between midnight and eight o'clock antemeridian.  
9     [(iii) On the twenty-fifth day of December, known as Christmas day.]  
10    In any community where daylight saving time is in effect, such time  
11    shall be deemed the standard time for the purpose of this subdivision.  
12    S 2. Section 105-a of the alcoholic beverage control law is REPEALED.  
13    S 3. Subdivision 5 of section 106 of the alcoholic beverage control  
14    law, as amended by chapter 83 of the laws of 1995, is amended to read as  
15    follows:  
16    5. No alcoholic beverages shall be sold, offered for sale or given  
17    away upon any premises licensed to sell alcoholic beverages at retail  
18    for on-premises consumption[, during the following hours:  
19    (a) Sunday, from four ante meridiem to twelve noon.  
20    (b) On] ON any [other] day between four ante meridiem and eight ante  
21    meridiem.

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

LBD02104-02-3

1 Unless otherwise approved by the authority pursuant to subdivision  
2 [eleven] NINE of section seventeen of this chapter, where any rule has  
3 been adopted in a county on or before April first, nineteen hundred  
4 ninety-five, further restricting the hours of sale for alcoholic bever-  
5 ages, such restricted hours shall be the hours, during which the sale of  
6 alcoholic beverages at retail for on-premises consumption shall not be  
7 permitted within such county.

8 Nor shall any person be permitted to consume any alcoholic beverages  
9 upon any such premises later than one-half hour after the start of the  
10 prohibited hours of sale provided for in this section.

11 S 4. This act shall take effect on the ninetieth day after it shall  
12 have become a law.