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

351--A

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

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:

Section 1. Paragraph (a) of subdivision 14 of section 105 of the alcoholic beverage control law, as amended by section 1 of part U of chapter 63 of the laws of 2003, is amended to read as follows:

(a) No premises licensed to sell liquor and/or wine for off-premises consumption shall be permitted to remain open[:

(i) On Sunday before twelve o'clock post meridian and after nine o'clock post meridian.

(ii) On] ON any day between midnight and eight o'clock antemeridian.

[(iii) On the twenty-fifth day of December, known as Christmas day.]

In any community where daylight saving time is in effect, such time shall be deemed the standard time for the purpose of this subdivision.

S 2. Section 105-a of the alcoholic beverage control law is REPEALED.

S 3. Subdivision 5 of section 106 of the alcoholic beverage control law, as amended by chapter 83 of the laws of 1995, is amended to read as follows:

5. No alcoholic beverages shall be sold, offered for sale or given away upon any premises licensed to sell alcoholic beverages at retail for on-premises consumption[, during the following hours:

(a) Sunday, from four ante meridiem to twelve noon.

(b) On] ON any [other] day between four ante meridiem and eight ante meridiem.

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

LBD02104-02-3

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

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

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