_____

5529

2013-2014 Regular Sessions

I N   S E N A T E

May 16, 2013
_____

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

AN ACT to amend the alcoholic beverage control law, in relation to
   police officers allowed to work in licensed premises

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

 1   Section 1. Section 128-a of the alcoholic beverage control law, as
 2 amended by chapter 678 of the laws of 2002, is amended to read as
 3 follows:
 4   S 128-a. Police officers allowed to work in licensed premises in
 5 certain cases. 1. Notwithstanding any inconsistent provision of law to
 6 the contrary, the authority shall promulgate such rules and regulations
 7 as may be necessary to provide that it shall not be unlawful for a
 8 police officer employed in this state, having written permission and
 9 consent from his commanding officer, to work in a premises licensed to
10 sell beer at retail for off-premises consumption under section fifty-
11 four of this chapter or to work solely as a security guard or director
12 of traffic on the premises of a volunteer firefighters' organization
13 licensed to sell beer and wine at retail pursuant to a temporary permit
14 for on-premises consumption under section ninety-seven of this chapter.
15   2. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF LAW TO THE   CONTRARY,
16 THE AUTHORITY SHALL PROMULGATE SUCH RULES AND REGULATIONS AS MAY BE
17 NECESSARY TO PROVIDE THAT IT SHALL NOT BE UNLAWFUL FOR ANY POLICE OFFI-
18 CIAL OR SUBORDINATE OF ANY POLICE DEPARTMENT EMPLOYED IN THIS STATE,
19 HAVING WRITTEN PERMISSION AND CONSENT FROM HIS COMMANDING OFFICER, TO
20 SERVE AS AN OFFICER OF A FIRE COMPANY, FIRE DEPARTMENT, OR VOLUNTEER
21 FIREFIGHTERS' ORGANIZATION LICENSED TO SELL BEER OR WINE PURSUANT TO A
22 PERMIT ISSUED BY THE AUTHORITY.
23   S 2. This act shall take effect on the one hundred eightieth day after
24 it shall have become a law.

         EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
                        [ ] is old law to be omitted.
                                                        LBD10948-01-3