

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:

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

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

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

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

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

22 1. Each license and permit, except a temporary permit effective for
23 one day only, issued pursuant to this chapter may be renewed upon appli-
24 cation 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.

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

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