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

4563

2013-2014 Regular Sessions

I N A S S E M B L Y

February 6, 2013

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

AN ACT to amend the alcoholic beverage control law, in relation to prohibiting "pub crawls" in a city with a population of one million or more

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

Section 1. The alcoholic beverage control law is amended by adding a new section 117-c to read as follows:

S 117-C. PUB CRAWLS PROHIBITED; CITIES WITH A POPULATION OF ONE MILLION OR MORE. 1. IN A CITY WITH A POPULATION OF ONE MILLION OR MORE, NO LICENSEE, ACTING INDIVIDUALLY OR IN CONJUNCTION WITH ONE OR MORE LICENSEES, SHALL:

(A) OFFER, SELL, SERVE, OR DELIVER TO ANY PERSON OR PERSONS A WRIST BAND, CUP OR OTHER OBJECT DELINEATING A PUB CRAWL WHEREBY SUCH PERSON MAY DRINK ALCOHOLIC BEVERAGES FOR A SET PERIOD OF TIME AND FOR A FIXED PRICE, WITH THE PURPOSE OF BECOMING INTOXICATED, IN MULTIPLE PUBS OR BARS IN A SINGLE NIGHT, NORMALLY WALKING OR BUSING TO EACH ONE BETWEEN DRINKING UNLIMITED NUMBER OF DRINKS.

(B) ALLOW A PERSON, AGENT, PARTY ORGANIZER, OR PROMOTER, AS SUCH TERMS SHALL BE DEFINED BY THE AUTHORITY IN RULE AND REGULATION, TO OFFER, SELL, SERVE, OR DELIVER TO ANY PERSON OR PERSONS A WRIST BAND, CUP OR OTHER OBJECT DELINEATING A PUB CRAWL WHEREBY SUCH PERSON MAY DRINK ALCOHOLIC BEVERAGES FOR A SET PERIOD OF TIME AND FOR A FIXED PRICE, WITH THE PURPOSE OF BECOMING INTOXICATED, IN MULTIPLE PUBS OR BARS IN A SINGLE NIGHT, NORMALLY WALKING OR BUSING TO EACH ONE BETWEEN DRINKING UNLIMITED NUMBER OF DRINKS.

(C) ADVERTISE, PROMOTE, OR CHARGE A PRICE FOR DRINKS THAT IN THE JUDGMENT OF THE AUTHORITY CREATES AN OFFERING OF ALCOHOLIC BEVERAGES IN VIOLATION OF THE PURPOSES AND INTENT OF THIS SECTION, OR WHICH IN THE

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

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JUDGMENT OF THE AUTHORITY IS AN ATTEMPT TO CIRCUMVENT THE INTENT AND PURPOSES OF THIS SECTION.

2. AS USED IN THIS SECTION, LICENSEE MEANS AND INCLUDES THE LICENSEE, AND ANY EMPLOYEES, OR AGENTS OF SUCH LICENSEE.

3. THE AUTHORITY SHALL INVESTIGATE ANY DOCUMENTED ALLEGATION OF A VIOLATION OF THIS SECTION UPON A COMPLAINT BY ANY PERSON. PURSUANT TO SUBDIVISION SIX OF SECTION ONE HUNDRED TEN-A OF THIS ARTICLE, SUCH LICENSEE'S LICENSE SHALL BE REVOKED.

4. THE AUTHORITY SHALL PROMULGATE RULES AND REGULATIONS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

S 2. Section 110-a of the alcoholic beverage control law is amended by adding a new subdivision 6 to read as follows:

6. IN A CITY WITH A POPULATION OF ONE MILLION OR MORE, INFORMATION PROHIBITING PUB CRAWLS. SUCH INFORMATION SHALL INCLUDE, BUT NOT BE LIMITED TO, THE REVOCATION OF A LICENSE IF A LICENSEE PARTICIPATES IN A PUB CRAWL. FOR THE PURPOSES OF THIS SECTION, THE TERM "PUB CRAWL" SHALL MEAN THE ORGANIZED ACT BY A LICENSEE TO ENTICE ONE OR MORE PEOPLE DRINKING ALCOHOLIC BEVERAGES, WITH THE PURPOSE OF BECOMING INTOXICATED, IN MULTIPLE PUBS OR BARS IN A SINGLE NIGHT, NORMALLY WALKING OR BUSING TO EACH ONE BETWEEN DRINKING.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.