

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 Government 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 ASSEMBLY, 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