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

1357--A

2015-2016 Regular Sessions

I N A S S E M B L Y

January 12, 2015

Introduced by M. of A. CYMBROWITZ, KAMINSKY, CLARK -- read once and referred to the Committee on Economic Development -- reported and referred to the Committee on Codes -- 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 prohibiting the sale of any powdered or crystalline alcohol product

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

Section 1. Subdivision 1 of section 3 of the alcoholic beverage control law, as amended by chapter 42 of the laws of 2011, is amended to read as follows:

1. "Alcoholic beverage" or "beverage" mean and include alcohol, spirits, liquor, wine, beer, cider and every liquid [or], solid, POWDER OR CRYSTAL, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed by a human being, and any warehouse receipt, certificate, contract or other document pertaining thereto; except that confectionery containing alcohol as provided by subdivision twelve of section two hundred of the agriculture and markets law and ice cream and other frozen desserts made with wine as provided in subdivision fifteen of section two hundred of the agriculture and markets law shall not be regulated as an "alcoholic beverage" or "beverage" within the meaning of this section where the sale, delivery or giving away is to a person aged twenty-one years or older. The sale, delivery or giving away of ice cream made with wine to a person under the age of twenty-one years may be prosecuted administratively and/or criminally in accordance with the provisions of this chapter.

S 2. Section 100 of the alcoholic beverage control law is amended by adding a new subdivision 1-a to read as follows:

1-A. NO PERSON SHALL SELL, OFFER FOR SALE, OR OTHERWISE PROVIDE FOR THE CONSUMPTION OF ANY POWDERED OR CRYSTALLINE ALCOHOLIC PRODUCT.

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

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

LBD05265-02-5