

3553--A

2015-2016 Regular Sessions

I N A S S E M B L Y

January 27, 2015

Introduced by M. of A. LAVINE, ZEBROWSKI, GUNTHER, GALEF, LIFTON, MILLER, THIELE, TITONE, CAHILL, SCHIMEL -- Multi-Sponsored by -- M. of A. ABBATE, BARCLAY, BUTLER, CROUCH, DUPREY, FINCH, GIGLIO, GOODELL, GRAF, McLAUGHLIN, MONTESANO, RAI, SALADINO -- read once and referred to the Committee on Economic Development -- recommitted to the Committee on Economic Development in accordance with Assembly Rule 3, sec. 2 -- 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 the sale of non-food wine or liquor supplies, accessories and/or barware

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

1 Section 1. Subdivision 4 of section 63 of the alcoholic beverage
2 control law, as amended by chapter 603 of the laws of 1992, is amended
3 to read as follows:
4 4. No licensee under this section shall be engaged in any other busi-
5 ness on the licensed premises. The sale of lottery tickets, when duly
6 authorized and lawfully conducted, the sale of corkscrews or the sale of
7 ice or the sale of publications, including prerecorded video and/or
8 audio cassette tapes, designed to help educate consumers in their know-
9 ledge and appreciation of wine and wine products, as defined in section
10 three of this chapter, or the sale of non-carbonated, non-flavored
11 mineral waters, spring waters and drinking waters or the [sale of glass-
12 es designed for the consumption of wine, racks designed for the storage
13 of wine, and devices designed to minimize oxidation in bottles of wine
14 which have been uncorked] SALE OF NON-FOOD WINE OR LIQUOR SUPPLIES,
15 ACCESSORIES AND/OR BARWARE, WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO,
16 ANY ITEM UTILIZED FOR THE STORAGE, TRANSPORT, SERVING OR CONSUMPTION OF
17 WINE OR LIQUOR OR FOR DECORATIVE PURPOSES WHETHER SOLD AS SINGLE ITEMS
18 OR COMBINED INTO A PACKAGE CONTAINING WINE OR LIQUOR, PUBLICATIONS,
19 SUBSCRIPTION SERVICES, MEMBERSHIPS, LOYALTY PROGRAMS AND EDUCATION IN

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

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1 THE FORM OF LIVE, WEBINAR OR PRERECORDED CONTENT DESIGNED TO HELP
2 EDUCATE CONSUMERS IN THEIR KNOWLEDGE, USE, CONSUMPTION AND APPRECIATION
3 OF ALCOHOLIC BEVERAGES, INCLUDING RECIPES AND FOOD AND BEVERAGE PAIRING,
4 AND MATERIAL TO ASSIST WINE AND CIDER-MAKERS AND HOME WINE AND
5 CIDER-MAKERS TO PRODUCE AND BOTTLE WINE AND CIDER, MIXERS, SIMPLE
6 SYRUPS, GARNISHES, BITTERS AND OTHER PRODUCTS USED IN THE PREPARATION OR
7 CONSUMPTION OF ALCOHOLIC BEVERAGES AND COCKTAILS, GIFT ITEMS INCIDENTAL
8 TO THE SALE OF ALCOHOLIC BEVERAGES LIMITED TO FOOD ITEMS, CONDIMENTS AND
9 PRODUCTS FOR THE PURPOSE OF COMPLEMENTING ALCOHOLIC BEVERAGE CONSUMPTION
10 AND TASTINGS, WHICH SHALL INCLUDE LOCALLY PRODUCED FARM PRODUCTS AND ANY
11 FOOD OR FOOD PRODUCT NOT SPECIFICALLY PREPARED FOR IMMEDIATE CONSUMPTION
12 UPON THE PREMISES, AND WINE-MAKING AND CIDER-MAKING EQUIPMENT AND
13 SUPPLIES INCLUDING, BUT NOT LIMITED TO, HOME WINE-MAKING AND CIDER-MAK-
14 ING KITS, PRESSES, PUMPS, BOTTLING EQUIPMENT, FILTERS, YEASTS, CHEMICALS
15 AND OTHER WINE AND CIDER ADDITIVES, STORAGE OR FERMENTING VESSELS,
16 BARRELS, TOOLS AND DEVICES, AND GIFT BASKETS OR PACKAGES COMBINING ALCO-
17 HOLIC BEVERAGES, FOOD PRODUCTS AND OTHER PRODUCTS OR SERVICES AUTHORIZED
18 BY THIS SUBDIVISION, shall not constitute engaging in another business
19 within the meaning of this subdivision.

20 S 2. This act shall take effect immediately.