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

8617--A

2015-2016 Regular Sessions

I N A S S E M B L Y

December 16, 2015

Introduced by M. of A. MORELLE, LUPARDO, GOTTFRIED, BRINDISI, LIFTON, ZEBROWSKI, BENEDETTO, FAHY, BLAKE, RUSSELL, RICHARDSON, STECK, CERETTO, PALMESANO, STIRPE, JEAN-PIERRE, McDONALD, SANTABARBARA, RYAN -- Multi-Sponsored by -- M. of A. ABBATE, GALEF, HEVESI, HIKIND, MAGEE, ROZIC, SKARTADOS, STEC, WOERNER -- 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 authorizing the on premise sale of alcoholic beverages on Sunday mornings

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

Section 1. Paragraph (a) of subdivision 5 of section 106 of the alcoholic beverage control law, as amended by chapter 83 of the laws of 1995, is amended to read as follows:

(a) Sunday, from four ante meridiem to twelve noon, EXCEPT PURSUANT TO SECTION NINETY-NINE-H OR SECTION NINETY-NINE-I OF THIS CHAPTER.

S 2. The alcoholic beverage control law is amended by adding a new section 99-h to read as follows:

S 99-H. ANNUAL PERMIT TO REMAIN OPEN DURING CERTAIN HOURS OF THE MORNING. 1. ANY PERSON LICENSED TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES PURSUANT TO THIS CHAPTER OR ANY APPLICANT FOR AN ORIGINAL LICENSE TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES PURSUANT TO THIS CHAPTER MAY APPLY TO THE LIQUOR AUTHORITY FOR AN ANNUAL PERMIT TO REMAIN OPEN ON SUNDAY BETWEEN THE HOURS OF EIGHT O'CLOCK A.M. AND NOON. ANY APPLICANT FOR SUCH AN ANNUAL PERMIT SHALL PROVIDE NOTICE TO THE LOCAL MUNICIPALITY OF SUCH APPLICATION AS PROVIDED IN SECTION ONE HUNDRED TEN-B OF THIS CHAPTER.

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

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2. THE ANNUAL FEE FOR SUCH ANNUAL PERMIT SHALL BE TWO HUNDRED FIFTY DOLLARS IN THE COUNTIES OF NEW YORK, KINGS, BRONX AND QUEENS; ONE HUNDRED FIFTY DOLLARS IN THE COUNTY OF RICHMOND AND IN CITIES HAVING A POPULATION OF MORE THAN ONE HUNDRED THOUSAND AND LESS THAN ONE MILLION; ONE HUNDRED DOLLARS IN CITIES HAVING A POPULATION OF MORE THAN FIFTY THOUSAND AND LESS THAN ONE HUNDRED THOUSAND; AND THE SUM OF FIFTY DOLLARS ELSEWHERE.

3. SUCH ANNUAL PERMIT AND THE EXERCISE OF THE PRIVILEGES GRANTED THEREUNDER ARE SUBJECT TO SUCH RULES AS THE LIQUOR AUTHORITY MAY DEEM NECESSARY.

S 3. The alcoholic beverage control law is amended by adding a new section 99-i to read as follows:

S 99-I. SPECIAL PERMIT TO REMAIN OPEN DURING CERTAIN HOURS OF THE MORNING. 1. ANY PERSON LICENSED TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES PURSUANT TO THIS CHAPTER MAY APPLY TO THE LIQUOR AUTHORITY FOR A SPECIAL PERMIT TO REMAIN OPEN SUNDAY BETWEEN THE HOURS OF EIGHT O'CLOCK A.M. AND NOON. THE FEE FOR SUCH PERMIT SHALL BE FIFTY DOLLARS PER DAY.

2. SUCH PERMITS AND THE EXERCISE OF THE PRIVILEGES GRANTED THEREUNDER ARE SUBJECT TO SUCH RULES AS THE LIQUOR AUTHORITY MAY DEEM NECESSARY.

S 4. This act shall take effect on the thirtieth day after it shall have become a law.