

9268--A

Cal. No. 555

I N A S S E M B L Y

February 10, 2016

Introduced by M. of A. BENEDETTO, MORELLE, GOTTFRIED -- read once and referred to the Committee on Economic Development -- reported and referred to the Committee on Codes -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

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:

1 Section 1. Paragraph (a) of subdivision 5 of section 106 of the alco-  
2 holic beverage control law, as amended by chapter 83 of the laws of  
3 1995, is amended to read as follows:

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

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

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

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

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

LBD14032-02-6

1 3. SUCH ANNUAL PERMIT AND THE EXERCISE OF THE PRIVILEGES GRANTED THER-  
2 EUNDER ARE SUBJECT TO SUCH RULES AS THE LIQUOR AUTHORITY MAY DEEM NECES-  
3 SARY.

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

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

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

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