

1487

2015-2016 Regular Sessions

I N S E N A T E

January 13, 2015

Introduced by Sens. MARCHIONE, GALLIVAN -- 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 lowering the alcohol license fees for seasonally operated bars

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

1 Section 1. Subdivision 4 of section 100 of the alcoholic beverage
2 control law, as amended by chapter 614 of the laws of 1984, is amended
3 to read as follows:

4 4. Alcoholic beverages may be sold to be consumed on the premises at a
5 bar, counter or similar contrivance. Only one such bar, counter or
6 contrivance shall be permitted in any licensed premises, except that not
7 more than two additional bars, counters or contrivances may be permitted
8 by the liquor authority for good cause shown to it, and upon the payment
9 to it of a fee, for each additional bar, equivalent to the amount of the
10 annual license fee paid by the licensee [and except that] OR, IN THE
11 CASE OF AN ADDITIONAL BAR, COUNTER OR CONTRIVANCE OPERATED ON A SEASONAL
12 BASIS, A FEE EQUIVALENT TO THE AMOUNT OF THE ANNUAL LICENSE FEE PAID BY
13 THE LICENSEE PRORATED FOR THE NUMBER OF MONTHS THAT THE SEASONAL BAR IS
14 IN OPERATION. PROVIDED HOWEVER THAT:

15 (A) if the licensed premises is a legitimate theatre or concert hall,
16 or contiguous to and used in conjunction with a legitimate theatre or
17 concert hall, additional bars, counters or contrivances may be permitted
18 by the liquor authority upon payment to it of an annual fee of one
19 hundred dollars for each such additional bar, counter or contrivance so
20 permitted, in addition to the annual license fee paid by such licensee
21 [and except that];

22 (B) if such licensed premises be located at a baseball park, race
23 track, or either outdoor or indoor athletic field, facility, arena or
24 stadium, additional bars, counters or contrivances where beer shall be

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

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1 sold at retail for consumption on the premises [maybe] MAY BE permitted
2 by the liquor authority, upon payment to it of the annual fee of thirty
3 dollars for each such additional bar, counter or contrivance so permit-
4 ted, in addition to the amount of the annual license fee paid by the
5 licensee[, and except that]; AND

6 (C) temporary portable bars, counters or contrivances shall be permit-
7 ted in a ballroom, meeting room or private dining-room on the licensed
8 premises of a hotel, restaurant or club during such time as said ball-
9 room, meeting room or private dining-room is used for a private dinner,
10 entertainment, meeting or similar affair to which members of the general
11 public are not admitted.

12 S 2. This act shall take effect on the ninetieth day after it shall
13 have become a law; provided, however, that effective immediately, the
14 addition, amendment and/or repeal of any rule or regulation necessary
15 for the implementation of this act on its effective date are authorized
16 and directed to be made and completed on or before such effective date.