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

6473

I N S E N A T E

January 15, 2016

Introduced by Sen. RANZENHOFER -- 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 special permits to sell alcohol at certain times on Sundays

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 BY SPECIAL PERMIT.

S 2. Section 99 of the alcoholic beverage control law, as amended by chapter 204 of the laws of 1963, subdivisions 1 and 2 as amended by section 22 of part Z of chapter 85 of the laws of 2002, is amended to read as follows:

S 99. 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 on any week day between the hours of four o'clock a.m. or the closing hour prescribed by a rule adopted in a county on or before April first, nineteen hundred ninety-five or pursuant to subdivision eleven of section seventeen of this chapter, and eight o'clock a.m. The fee for such permit shall be fifty-one dollars per day.

2. The liquor authority may, in its discretion, issue to any such licensed person, whose premises are located within a trade area, a special permit to remain open during such hours of the morning on weekdays. The fee for such permit shall be at the rate of two hundred fifty-six dollars per annum.

3. 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 OPEN ON ANY SUNDAY BETWEEN THE HOURS OF EIGHT ANTE MERIDIEM AND TWELVE NOON. UNLESS OTHERWISE APPROVED BY THE AUTHORI-

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

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TY PURSUANT TO SUBDIVISION NINE OF SECTION SEVENTEEN OF THIS CHAPTER, WHERE ANY RULE HAS BEEN ADOPTED IN A COUNTY FURTHER RESTRICTING THE HOURS OF SALE FOR ALCOHOLIC BEVERAGES, SUCH RESTRICTED HOURS SHALL BE THE HOURS, DURING WHICH THE SALE OF ALCOHOLIC BEVERAGES AT RETAIL FOR ON-PREMISES CONSUMPTION SHALL NOT BE PERMITTED WITHIN SUCH COUNTY. NO MORE THAN TWELVE SPECIAL PERMITS ISSUED PURSUANT TO THIS SUBDIVISION MAY BE ISSUED TO THE SAME LICENSED PERSON IN ANY CALENDAR YEAR. THE FEE FOR SUCH PERMIT SHALL BE AT THE RATE OF FIFTY-ONE DOLLARS PER DAY.

4. Such permits and the exercise of the privileges granted thereunder may be subjected by the liquor authority to such rules as it may deem necessary.

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