

STATE OF NEW YORK

2787

2017-2018 Regular Sessions

IN ASSEMBLY

January 23, 2017

Introduced by M. of A. LAVINE, ZEBROWSKI, GUNTHER, GALEF, M. G. MILLER, THIELE, TITONE, CAHILL -- Multi-Sponsored by -- M. of A. ABBATE, BARCLAY, BUTLER, CROUCH, FINCH, GIGLIO, GOODELL, GRAF, McLAUGHLIN, MONTESANO, RAIA, SALADINO -- read once and referred to the Committee on Economic Development

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 297 of the law of 2016, is amended to
3 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
20 the form of live, webinar or prerecorded content designed to help
21 educate consumers in their knowledge, use, consumption and appreciation
22 of alcoholic beverages, including recipes and food and beverage pairing,

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

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1 and wine-making and cider-making equipment and supplies including, but
2 not limited to, home wine-making and cider-making kits, presses, pumps,
3 bottling equipment, filters, yeasts, chemicals and other wine and cider
4 additives, storage or fermenting vessels, barrels, tools and devices or
5 the sale of gift bags, gift boxes, or wrapping, for alcoholic beverages
6 purchased at the licensed premises shall not constitute engaging in
7 another business within the meaning of this subdivision.

8 § 2. Subdivision 4 of section 63 of the alcoholic beverage control
9 law, as amended by chapter 603 of the laws of 1992, is amended to read
10 as follows:

11 4. No licensee under this section shall be engaged in any other busi-
12 ness on the licensed premises. The sale of lottery tickets, when duly
13 authorized and lawfully conducted, the sale of corkscrews or the sale of
14 ice or the sale of publications, including prerecorded video and/or
15 audio cassette tapes, designed to help educate consumers in their know-
16 ledge and appreciation of wine and wine products, as defined in section
17 three of this chapter, or the sale of non-carbonated, non-flavored
18 mineral waters, spring waters and drinking waters or the [~~sale of glass-~~
19 ~~es designed for the consumption of wine, racks designed for the storage~~
20 ~~of wine, and devices designed to minimize oxidation in bottles of wine~~
21 ~~which have been uncorked] sale of non-food wine or liquor supplies,
22 accessories and/or barware, which shall include, but not be limited to,
23 any item utilized for the storage, transport, serving or consumption of
24 wine or liquor or for decorative purposes whether sold as single items
25 or combined into a package containing wine or liquor, publications,
26 subscription services, memberships, loyalty programs and education in
27 the form of live, webinar or prerecorded content designed to help
28 educate consumers in their knowledge, use, consumption and appreciation
29 of alcoholic beverages, including recipes and food and beverage pairing,
30 and wine-making and cider-making equipment and supplies including, but
31 not limited to, home wine-making and cider-making kits, presses, pumps,
32 bottling equipment, filters, yeasts, chemicals and other wine and cider
33 additives, storage or fermenting vessels, barrels, tools and devices,
34 shall not constitute engaging in another business within the meaning of
35 this subdivision.~~

36 § 3. This act shall take effect immediately; provided, however, that
37 the amendments to subdivision 4 of section 63 of the alcoholic beverage
38 control law made by section one of this act shall be subject to the
39 expiration and reversion of such subdivision pursuant to section 18 of
40 chapter 297 of the laws of 2016, as amended, when upon such date the
41 provisions of section two of this act shall take effect.