STATE OF NEW YORK

3515

2017-2018 Regular Sessions

IN ASSEMBLY

January 27, 2017

Introduced by M. of A. PEOPLES-STOKES -- read once and referred to the Committee on Economic Development

AN ACT to amend the alcoholic beverage control law, in relation to community centers and licensing notification

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraphs (a) and (b) of subdivision 3 of section 105 of the alcoholic beverage control law, as amended by chapter 406 of the laws of 2007, are amended to read as follows:

(a) No retail license to sell liquor and/or wine for off-premises consumption shall be granted for any premises which shall be located on the same street or avenue, and within two hundred feet of a building occupied exclusively as a school, church, synagogue [~~or~~], other place of worship **or community center**; the measurements to be taken in a straight line from the center of the nearest entrance to the building used for such school, church, synagogue [~~or~~], other place of worship **or community center** to the center of the nearest entrance of the premises to be licensed; except, however, that no license shall be denied to any premises at which a license under this chapter has been in existence continuously from a date prior to the date when a building on the same street or avenue and within two hundred feet of said premises has been occupied exclusively as a school, church, synagogue [~~or~~], other place of worship **or community center**.

(b) Within the context of this subdivision, the word "entrance" shall mean a door of a school, of a house of worship, or of the premises sought to be licensed, regularly used to give ingress to students of the school, to the general public attending the place of worship, and to patrons or guests of the premises proposed to be licensed, except that where a school [~~or~~], house of worship **or community center** is set back from a public thoroughfare, the walkway or stairs leading to any such door shall be deemed an entrance; and the measurement shall be taken to

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

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the center of the walkway or stairs at the point where it meets the building line or public thoroughfare. A door which has no exterior hardware, or which is used solely as an emergency or fire exit, or for maintenance purposes, or which leads directly to a part of a building not regularly used by the general public or patrons, is not deemed an "entrance".

§ 2. The opening paragraph of section 107 of the alcoholic beverage control law is amended to read as follows:

Every person procuring a license hereunder must **notify other liquor license holders within one-half mile of the proposed licensed premises, the state elected officials whose district encompasses the proposed licensed premises, the local municipality within which the proposed licensed premises is located, and the block club and/or business district within which the proposed licensed premises is located and** publish a notice thereof as herein provided:

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