

# STATE OF NEW YORK

7821

## IN SENATE

February 28, 2018

Introduced by Sen. MURPHY -- 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 electronic payment of fees of brand label registration and to change the time required for an application to be deemed approved

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

1 Section 1. Subparagraph 2 of paragraph (a) and the opening paragraph  
2 of paragraph (b) of subdivision 4 of section 107-a of the alcoholic  
3 beverage control law, as amended by chapter 369 of the laws of 2017, are  
4 amended to read as follows:

5 (2) Provided, however, where a brand or trade name label has been  
6 approved by the Alcohol and Tobacco Tax and Trade Bureau of the United  
7 States Department of Treasury, it shall be deemed registered and  
8 approved by the authority if[+]

9 ~~(i)~~ the applicant submits on a form prescribed by the authority, by  
10 certified mail return receipt requested, registered mail return receipt  
11 requested, or overnight delivery service with proof of mailing, or via  
12 electronic filing, a true copy of the brand or trade name label approval  
13 issued by the Alcohol and Tobacco Tax and Trade Bureau of the United  
14 States Department of Treasury along with the appropriate fee as estab-  
15 lished in paragraph (b) of this subdivision[~~, and~~

16 ~~(ii) the authority does not deny such application within thirty days~~  
17 ~~after receipt].~~

18 The annual fee for registration of any brand or trade name label for  
19 liquor shall be two hundred fifty dollars; the annual fee for registra-  
20 tion of any brand or trade name label for beer or cider shall be one  
21 hundred fifty dollars; the annual fee for registration of any brand or  
22 trade name label for wine or wine products shall be fifty dollars. Such  
23 fee shall be in the form of a check [~~or~~], draft, or via electronic  
24 payment. No annual fee for registration of any brand or trade name label  
25 for wine shall be required if it has been approved by the Alcohol and  
26 Tobacco Tax and Trade Bureau of the United States Department of Treasury  
27 pursuant to this section.

28 § 2. This act shall take effect immediately.

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

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