

STATE OF NEW YORK

80

2017-2018 Regular Sessions

IN SENATE

(Prefiled)

January 4, 2017

Introduced by Sen. HOYLMAN -- 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 authorizing the imposition of certain terms and conditions as part of certain licenses for on-premises consumption

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

1 Section 1. Section 55 of the alcoholic beverage control law is amended
2 by adding a new subdivision 4 to read as follows:

3 4. The authority may include, as part of a license under this section,
4 terms and conditions for the purpose of assuring that the licensed prem-
5 ises are operated in accordance with applicable law and consistent with
6 public convenience and advantage. Prior to including terms and condi-
7 tions in a license, the authority shall consult with the applicant and
8 any party entitled to receive notice of the application. The terms and
9 conditions shall be legally enforceable in the same manner as applicable
10 provisions of this chapter or regulations of the authority.

11 § 2. Section 55-a of the alcoholic beverage control law is amended by
12 adding a new subdivision 3 to read as follows:

13 3. The authority may include, as part of a license under this section,
14 terms and conditions for the purpose of assuring that the licensed prem-
15 ises are operated in accordance with applicable law and consistent with
16 public convenience and advantage. Prior to including terms and condi-
17 tions in a license, the authority shall consult with the applicant and
18 any party entitled to receive notice of the application. The terms and
19 conditions shall be legally enforceable in the same manner as applicable
20 provisions of this chapter or regulations of the authority.

21 § 3. Section 64 of the alcoholic beverage control law is amended by
22 adding a new subdivision 10 to read as follows:

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

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1 10. The authority may include, as part of a license under this
2 section, terms and conditions for the purpose of assuring that the
3 licensed premises are operated in accordance with applicable law and
4 consistent with the public interest. Prior to including terms and condi-
5 tions in a license, the authority shall consult with the applicant and
6 any party entitled to receive notice of the application. The terms and
7 conditions shall be legally enforceable in the same manner as applicable
8 provisions of this chapter or regulations of the authority.

9 § 4. Section 64-a of the alcoholic beverage control law is amended by
10 adding a new subdivision 5-a to read as follows:

11 5-a. The authority may include, as part of a license under this
12 section, terms and conditions for the purpose of assuring that the
13 licensed premises are operated in accordance with applicable law and
14 consistent with the public interest. Prior to including terms and condi-
15 tions in a license, the authority shall consult with the applicant and
16 any party entitled to receive notice of the application. The terms and
17 conditions shall be legally enforceable in the same manner as applicable
18 provisions of this chapter or regulations of the authority.

19 § 5. Section 64-b of the alcoholic beverage control law is amended by
20 adding a new subdivision 5-a to read as follows:

21 5-a. The authority may include, as part of a license under this
22 section, terms and conditions for the purpose of assuring that the
23 licensed premises are operated in accordance with applicable law and
24 consistent with the public interest. Prior to including terms and condi-
25 tions in a license, the authority shall consult with the applicant and
26 any party entitled to receive notice of the application. The terms and
27 conditions shall be legally enforceable in the same manner as applicable
28 provisions of this chapter or regulations of the authority.

29 § 6. Section 64-c of the alcoholic beverage control law is amended by
30 adding a new subdivision 5-a to read as follows:

31 5-a. The authority may include, as part of a license under this
32 section, terms and conditions for the purpose of assuring that the
33 licensed premises are operated in accordance with applicable law and
34 consistent with the public interest. Prior to including terms and condi-
35 tions in a license, the authority shall consult with the applicant and
36 any party entitled to receive notice of the application. The terms and
37 conditions shall be legally enforceable in the same manner as applicable
38 provisions of this chapter or regulations of the authority.

39 § 7. Section 64-d of the alcoholic beverage control law is amended by
40 adding a new subdivision 5-a to read as follows:

41 5-a. The authority may include, as part of a license under this
42 section, terms and conditions for the purpose of assuring that the
43 licensed premises are operated in accordance with applicable law and
44 consistent with the public interest. Prior to including terms and condi-
45 tions in a license, the authority shall consult with the applicant and
46 any party entitled to receive notice of the application. The terms and
47 conditions shall be legally enforceable in the same manner as applicable
48 provisions of this chapter or regulations of the authority.

49 § 8. Section 81 of the alcoholic beverage control law is amended by
50 adding a new subdivision 5 to read as follows:

51 5. The authority may include, as part of a license under this section,
52 terms and conditions for the purpose of assuring that the licensed prem-
53 ises are operated in accordance with applicable law and consistent with
54 public convenience and advantage. Prior to including terms and condi-
55 tions in a license, the authority shall consult with the applicant and
56 any party entitled to receive notice of the application. The terms and

1 conditions shall be legally enforceable in the same manner as applicable
2 provisions of this chapter or regulations of the authority.

3 § 9. Section 81-a of the alcoholic beverage control law is amended by
4 adding a new subdivision 5 to read as follows:

5 5. The authority may include, as part of a license under this section,
6 terms and conditions for the purpose of assuring that the licensed prem-
7 ises are operated in accordance with applicable law and consistent with
8 public convenience and advantage. Prior to including terms and condi-
9 tions in a license, the authority shall consult with the applicant and
10 any party entitled to receive notice of the application. The terms and
11 conditions shall be legally enforceable in the same manner as applicable
12 provisions of this chapter or regulations of the authority.

13 § 10. This act shall take effect immediately.