STATE OF NEW YORK

326

2017-2018 Regular Sessions

IN ASSEMBLY

January 5, 2017

Introduced by M. of A. STIRPE, M. G. MILLER, DenDEKKER, CROUCH -- read once and referred to the Committee on Economic Development

AN ACT to amend the alcoholic beverage control law, in relation to permitting licensees authorized to sell liquor at retail for consumption off the premises to sell additional related items

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

Section 1. Subdivision 4 of section 63 of the alcoholic beverage control law, as amended by chapter 297 of the laws of 2016, is amended to read as follows:

4. No licensee under this section shall be engaged in any other business on the licensed premises. The sale of lottery tickets, when duly authorized and lawfully conducted, the sale of corkscrews or the sale of ice or the sale of publications, including prerecorded video and/or audio cassette tapes, designed to help educate consumers in their knowledge and appreciation of wine and wine products, as defined in section three of this chapter, or the sale of non-carbonated, non-flavored mineral waters, spring waters and drinking waters or the sale of glasses designed for the consumption of wine, racks designed for the storage of wine, and devices designed to minimize oxidation in bottles of wine which have been uncorked, [~~or the sale of gift bags, gift boxes, or wrapping, for alcoholic beverages purchased at the licensed premises~~] **additional items related to the sale of liquor, including but not limited to novelty clothing, liquor and wine accessories, glassware, prepackaged gift baskets containing liquor or wine with accessories, liquor candy, gift bags and books,** shall not constitute engaging in another business within the meaning of this subdivision.

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

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

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4. No licensee under this section shall be engaged in any other business on the licensed premises. The sale of lottery tickets, when duly authorized and lawfully conducted, the sale of corkscrews or the sale of ice or the sale of publications, including prerecorded video and/or audio cassette tapes, designed to help educate consumers in their knowledge and appreciation of wine and wine products, as defined in section three of this chapter, or the sale of non-carbonated, non-flavored mineral waters, spring waters and drinking waters or the sale of glasses designed for the consumption of wine, racks designed for the storage of wine, and devices designed to minimize oxidation in bottles of wine which have been uncorked, **additional items related to the sale of liquor, including but not limited to novelty clothing, liquor and wine accessories, glassware, pre-packaged gift baskets containing liquor or wine with accessories, liquor candy, gift bags and books,** shall not constitute engaging in another business within the meaning of this subdivision.

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