

# STATE OF NEW YORK

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326

2017-2018 Regular Sessions

## IN ASSEMBLY

January 5, 2017

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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:

1 Section 1. Subdivision 4 of section 63 of the alcoholic beverage  
2 control law, as amended by chapter 297 of the laws of 2016, is amended  
3 to 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 glasses  
12 designed for the consumption of wine, racks designed for the storage of  
13 wine, and devices designed to minimize oxidation in bottles of wine  
14 which have been uncorked, [~~or the sale of gift bags, gift boxes, or~~  
15 ~~wrapping, for alcoholic beverages purchased at the licensed premises~~]  
16 additional items related to the sale of liquor, including but not limit-  
17 ed to novelty clothing, liquor and wine accessories, glassware, pre-  
18 packaged gift baskets containing liquor or wine with accessories, liquor  
19 candy, gift bags and books, shall not constitute engaging in another  
20 business within the meaning of this subdivision.

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

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

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7 three of this chapter, or the sale of non-carbonated, non-flavored  
8 mineral waters, spring waters and drinking waters or the sale of glasses  
9 designed for the consumption of wine, racks designed for the storage of  
10 wine, and devices designed to minimize oxidation in bottles of wine  
11 which have been uncorked, additional items related to the sale of  
12 liquor, including but not limited to novelty clothing, liquor and wine  
13 accessories, glassware, pre-packaged gift baskets containing liquor or  
14 wine with accessories, liquor candy, gift bags and books, shall not  
15 constitute engaging in another business within the meaning of this  
16 subdivision.

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