

# STATE OF NEW YORK

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772

2017-2018 Regular Sessions

## IN ASSEMBLY

January 9, 2017

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

AN ACT to amend the alcoholic beverage control law, in relation to permitting the sale of certain food items in liquor stores; and to repeal certain provisions of such law relating to the ownership of more than one liquor license

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  
7 of ice ~~[or]~~, the sale of publications, including prerecorded video  
8 and/or audio cassette tapes, designed to help educate consumers in their  
9 knowledge and appreciation of wine and wine products, as defined in  
10 section three of this chapter, ~~[or]~~ the sale of non-carbonated, non-fla-  
11 vored mineral waters, spring waters and drinking waters ~~[or]~~, the sale  
12 of glasses designed for the consumption of wine, racks designed for the  
13 storage of wine, and devices designed to minimize oxidation in bottles  
14 of wine which have been uncorked, ~~[or the sale of gift bags, gift boxes,~~  
15 ~~or wrapping, for alcoholic beverages purchased at the licensed premises]~~  
16 or the sale of food items typically consumed with wine, including but  
17 not limited to cheeses, fruits, vegetables, chocolates, breads and  
18 crackers, shall not constitute engaging in another business within the  
19 meaning of this subdivision.

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

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

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1 4. No licensee under this section shall be engaged in any other busi-  
2 ness on the licensed premises. The sale of lottery tickets, when duly  
3 authorized and lawfully conducted, the sale of corkscrews ~~[ex]~~, the sale  
4 of ice ~~[ex]~~, the sale of publications, including prerecorded video  
5 and/or audio cassette tapes, designed to help educate consumers in their  
6 knowledge and appreciation of wine and wine products, as defined in  
7 section three of this chapter, ~~[ex]~~ the sale of non-carbonated, non-fla-  
8 vored mineral waters, spring waters and drinking waters ~~[ex]~~, the sale  
9 of glasses designed for the consumption of wine, racks designed for the  
10 storage of wine, and devices designed to minimize oxidation in bottles  
11 of wine which have been uncorked, or the sale of food items typically  
12 consumed with wine, including but not limited to cheeses, fruits, vege-  
13 tables, chocolates, breads and crackers, shall not constitute engaging  
14 in another business within the meaning of this subdivision.

15 § 3. Subdivision 5 of section 63 of the alcoholic beverage control law  
16 is REPEALED and subdivision 6 is renumbered subdivision 5.

17 § 4. This act shall take effect immediately; provided, however, the  
18 amendments to subdivision 4 of section 63 of the alcoholic beverage  
19 control law made by section one of this act shall not affect the expira-  
20 tion of such subdivision and shall be deemed to expire therewith, when  
21 upon such date the provisions of section two of this act shall take  
22 effect.