

# STATE OF NEW YORK

8329

2017-2018 Regular Sessions

## IN ASSEMBLY

June 8, 2017

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

AN ACT to amend the alcoholic beverage control law, in relation to authorizing the establishment of a liaison between the state liquor authority and local community boards, and the New York alcoholic beverage control problem premises task force

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

1 Section 1. The alcoholic beverage control law is amended by adding a  
2 new section 110-c to read as follows:

3 § 110-c. Community liaison. 1. The authority is authorized to design-  
4 ate a community liaison for each community board located in the city of  
5 New York.

6 2. The community liaison, upon request of a community board, shall  
7 ensure that such board receives all or a select number of notifications  
8 of relevant license and permit applications, hearing notices and license  
9 or permit application dispositions related to license or permit issu-  
10 ance, renewal, modifications or alterations that are required under the  
11 provisions of this chapter.

12 3. The community liaison shall:

13 (a) attend a meeting of the community board, upon the request of such  
14 board, for which he or she is acting as the liaison;

15 (b) attend, at least once each year, upon the request of each communi-  
16 ty board, a meeting of such board, to help build a knowledgeable and  
17 meaningful relationship between the authority and such board, and to  
18 understand the issues faced by the surrounding community;

19 (c) submit reports to the authority with respect to issues or concerns  
20 raised by such board; and

21 (d) upon request of the community board, notify such board of regular-  
22 ly scheduled meetings of the authority that could be of interest to such

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

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1 board and provide an agenda for such meeting at least fifteen days prior  
2 to the meeting.

3 § 2. Section 131 of the alcoholic beverage control law, as added by  
4 section 1 of part J of chapter 56 of the laws of 2006, is amended to  
5 read as follows:

6 § 131. New York alcoholic beverage control problem premises task  
7 force. 1. There is hereby created within the authority the New York  
8 alcoholic beverage control problem premises task force (hereinafter  
9 "task force"), which shall consist of employees of the authority as  
10 designated by the members of the authority, provided however, that the  
11 task force shall include at least one investigator each from the Albany  
12 office, [~~one investigator from~~] the Buffalo office, and [~~one investi-~~  
13 ~~gator from~~] the New York city office.

14 2. In any case where the authority receives notification from the  
15 mayor, chief of police, police commissioner, sheriff, or local legisla-  
16 tive body of any city, town or village which certifies that continued  
17 operation of an on-premises establishment poses [~~a~~] an actual or poten-  
18 tially significant threat to the public health, safety, or welfare  
19 [~~requiring~~] of the surrounding community that requires immediate action,  
20 the authority shall assign responsibility for conducting an investi-  
21 gation concerning such premises to the task force. In the city of New  
22 York, the community board established pursuant to section twenty-eight  
23 hundred of the New York city charter with jurisdiction over the area in  
24 which such premises is located shall be considered the appropriate local  
25 legislative body.

26 3. Not more than fourteen calendar days after receipt by the authority  
27 of a notification as provided in this section, the task force shall  
28 commence an investigation into the operation of the establishment. The  
29 task force shall complete its investigation and the authority shall  
30 commence a disciplinary hearing proceeding pursuant to this chapter for  
31 revocation or other appropriate action within forty-five calendar days,  
32 unless the task force determines in written findings that more time is  
33 needed to satisfactorily complete such investigation or that no disci-  
34 plinary charges are warranted. Such extension of time for completion of  
35 the investigation shall be for no more than sixty calendar days. A copy  
36 of any such determination shall be sent to the mayor, chief of police,  
37 police commissioner, sheriff, or local legislative body of the city,  
38 town or village that filed the notification with the authority. The  
39 authority shall notify the mayor, chief of police, police commissioner,  
40 sheriff, or local legislative body of the city, town or village that  
41 filed the notification to the authority of the final disposition of the  
42 disciplinary proceeding within ten business days of the completion of  
43 this process.

44 § 3. This act shall take effect on the one hundred eightieth day  
45 after it shall have become a law.