STATE OF NEW YORK

9996--B

Cal. No. 731

IN ASSEMBLY

March 7, 2018

Introduced by M. of A. MAGNARELLI, STIRPE, ZEBROWSKI, D'URSO, SANTABARBARA, McDONALD, LUPARDO, RIVERA, SCHIMMINGER, SEAWRIGHT, CAHILL, COOK -- Multi-Sponsored by -- M. of A. GALEF, HIKIND, SIMON -- read once and referred to the Committee on Economic Development -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- advanced to a third reading, passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the alcoholic beverage control law, in relation to electronic payment of fees of brand label registration and to change the time required for an application to be deemed approved

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

Section 1. Subparagraph 2 of paragraph (a) and the opening paragraph of paragraph (b) of subdivision 4 of section 107-a of the alcoholic beverage control law, as amended by chapter 369 of the laws of 2017, are amended to read as follows:

(2) Provided, however, where a brand or trade name label has been approved by the Alcohol and Tobacco Tax and Trade Bureau of the United States Department of Treasury, it shall be deemed registered and approved by the authority if:

(i) the applicant submits on a form prescribed by the authority, by certified mail return receipt requested, registered mail return receipt requested, or overnight delivery service with proof of mailing, or via electronic filing, a true copy of the brand or trade name label approval issued by the Alcohol and Tobacco Tax and Trade Bureau of the United States Department of Treasury along with the appropriate fee as established in paragraph (b) of this subdivision; and

(ii) the authority does not deny such application within [~~thirty~~] **seven business** days after receipt.

The annual fee for registration of any brand or trade name label for liquor shall be two hundred fifty dollars; the annual fee for registration of any brand or trade name label for beer or cider shall be one

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

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hundred fifty dollars; the annual fee for registration of any brand or trade name label for wine or wine products shall be fifty dollars. Such fee shall be in the form of a check [~~or~~], draft, or via electronic payment. No annual fee for registration of any brand or trade name label for wine shall be required if it has been approved by the Alcohol and Tobacco Tax and Trade Bureau of the United States Department of Treasury pursuant to this section.

§ 2. This act shall take effect March 31, 2019.