

STATE OF NEW YORK

1443

2017-2018 Regular Sessions

IN SENATE

January 9, 2017

Introduced by Sens. FUNKE, GALLIVAN, RITCHIE, VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the alcoholic beverage control law, in relation to delivery or transport of wine pursuant to a farm winery license

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

1 Section 1. Paragraph (d) of subdivision 6 of section 76-a of the alcoholic beverage control law, as amended by chapter 571 of the laws of 2 2008, is amended to read as follows:

3 (d) Deliver or transport any New York state labelled wine manufactured 4 or produced by the licensee or any other winery or farm winery licensed 5 pursuant to this article in any vehicle that is owned, leased or hired 6 by the licensee, and/or owned by any employee of the licensee provided 7 that such employee consents to such use of his or her vehicle. The New 8 York state labelled wine can be delivered, transported or sold by the 9 licensee to any holder of: (i) a winery or farm winery license, (ii) a 10 license to sell alcoholic beverages for consumption on the premises, 11 (iii) a license to sell alcoholic beverages for consumption off the 12 premises, (iv) or any person that can receive or purchase wine from a 13 farm winery. ~~[The]~~ Neither the licensee ~~[is not]~~ nor any of its employ- 14 ees shall be required to obtain from the liquor authority a trucking 15 permit or pay any fees pursuant to section ninety-four of this chapter. 16

17 § 2. This act shall take effect immediately.

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

LBD04180-01-7