

STATE OF NEW YORK

4592

2017-2018 Regular Sessions

IN SENATE

February 21, 2017

Introduced by Sen. FUNKE -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the alcoholic beverage control law, in relation to allowing patrons to remove alcohol from a licensed premises in a leisure and recreation district

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 132 to read as follows:

3 § 132. Removal of alcohol from a licensed premises in a leisure and
4 recreation district. 1. Notwithstanding any law, rule, or regulation to
5 the contrary, any holder of a license to sell beer, cider, liquor, or
6 wine at retail for consumption off the premises issued under sections
7 fifty-five, fifty-nine, sixty-four, and eighty-one of this chapter may
8 sell or otherwise provide beer, cider, liquor, or wine to a patron of
9 the license holder in the manner authorized in the license and the
10 patron may remove an open glass, cup or other container of the beer,
11 cider, liquor, or wine from the licensed premises and may possess and
12 consume the beer, cider, liquor, or cider outside of the licensed prem-
13 ises if: (a) the licensed premises is located within a leisure and
14 recreation district and (b) the patron remains within the boundaries of
15 the leisure and recreation district while in possession of the beer,
16 cider, liquor, or wine.

17 2. For purposes of this section, leisure and recreation district shall
18 mean an area officially designated by local law of the governing body of
19 a municipality as a leisure and recreation district.

20 3. Subject to the provisions of this section, the governing body of a
21 municipality, as defined in subdivision three of section two hundred
22 thirty-nine-b of the general municipal law, may establish by local law
23 one or more leisure and recreation districts within the corporate bound-

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

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aries of the municipality and designate the geographic area or areas to be included within the district. The governing body of a municipality, by local law may modify the boundaries of a leisure and recreation district.

4. Nothing in this section shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this chapter.

§ 2. This act shall take effect immediately.