

# STATE OF NEW YORK

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4768--A

2017-2018 Regular Sessions

## IN SENATE

February 28, 2017

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Introduced by Sen. BONACIC -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the alcoholic beverage control law, in relation to koji

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

1 Section 1. Subdivision 3 of section 81 of the alcoholic beverage  
2 control law, as amended by chapter 627 of the laws of 2002, is amended  
3 to read as follows:

4 3. Such license shall in form and in substance be a license to the  
5 person specifically licensed to sell wine at retail, to be consumed upon  
6 the premises. Such license shall also be deemed to include a license to  
7 sell beer ~~[and]~~, soju and koji based distilled spirits at retail to be  
8 consumed under the same terms and conditions without the payment of any  
9 additional fee. For the purposes of this subdivision, "soju" shall mean  
10 an imported Korean alcoholic beverage that contains not more than twen-  
11 ty-four per centum alcohol, by volume, and is derived from agricultural  
12 products, and "koji based distilled spirits" shall mean any spirit,  
13 produced by a holder of a class D distiller's license, at or lower than  
14 twenty-four percent alcohol by volume, in which aspergillus oryzae, a  
15 filamentous fungus, is utilized in the saccharification in the  
16 production of the mash used to produce the spirit, and which has not  
17 used germinated cereal grains that have been dried in a process known as  
18 malting for starch conservation.

19 § 2. This act shall take effect immediately.

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

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