

STATE OF NEW YORK

6120

2017-2018 Regular Sessions

IN SENATE

May 11, 2017

Introduced by Sen. MURPHY -- (at request of the State Liquor Authority)
-- 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 elec-
tronic filing and expanding brand label registrations from one year to
three years

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

1 Section 1. Subparagraphs 1 and 2 of paragraph a of subdivision 4 of
2 section 107-a of the alcoholic beverage control law, as amended by chap-
3 ter 354 of the laws of 2013, are amended to read as follows:

4 (1) The application for registration of a brand or trade name label
5 shall be filed by certified mail return receipt requested, registered
6 mail return receipt requested, [~~or~~] overnight delivery service with
7 proof of mailing, or via electronic filing, on a form prescribed by the
8 authority, and shall contain such information as the authority shall
9 require. Such application shall be accompanied by the appropriate fee
10 prescribed by paragraph (b) of this subdivision and may also require a
11 processing fee of no more than ten dollars paid to either the authority
12 or a third party provider.

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

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

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

LBD10061-01-7

1 (ii) the authority does not deny such application within thirty days
2 after receipt.

3 § 2. Paragraph (b) of subdivision 4 of section 107-a of the alcoholic
4 beverage control law, as amended by chapter 354 of the laws of 2013, is
5 amended to read as follows:

6 (b) The annual fee for registration of any brand or trade name label
7 for liquor shall be two hundred fifty dollars; the annual fee for regis-
8 tration of any brand or trade name label for beer or cider shall be one
9 hundred fifty dollars; the annual fee for registration of any brand or
10 trade name label for wine or wine products shall be fifty dollars. Such
11 fee shall be in the form of a check or draft. No annual fee for regis-
12 tration of any brand or trade name label for wine shall be required if
13 it has been approved by the Alcohol and Tobacco Tax and Trade Bureau of
14 the United States Department of Treasury pursuant to this section.

15 Each brand or trade name label registration approved pursuant to this
16 section shall be valid for a term of [~~one-year~~] three years as set forth
17 by the authority and which shall be pro-rated for partial years as
18 applicable.

19 Each brand or trade name label registration approved pursuant to this
20 section shall be valid only for the licensee to whom issued and shall
21 not be transferable.

22 § 3. This act shall take effect immediately.