STATE OF NEW YORK

6516

2017-2018 Regular Sessions

IN SENATE

May 30, 2017

Introduced by Sen. PERALTA -- 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 authorizing the establishment of a liaison between the state liquor authority and local community boards, and the New York alcoholic beverage control problem premises task force

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

Section 1. The alcoholic beverage control law is amended by adding a new section 110-c to read as follows:

§ 110-c. Community liaison. 1. The authority is authorized to designate a community liaison for each community board located in the city of New York.

2. The community liaison, upon request of a community board, shall ensure that such board receives all or a select number of notifications of relevant license and permit applications, hearing notices and license or permit application dispositions related to license or permit issuance, renewal, modifications or alterations that are required under the provisions of this chapter.

3. The community liaison shall:

(a) attend a meeting of the community board, upon the request of such board, for which he or she is acting as the liaison;

(b) attend, at least once each year, upon the request of each community board, a meeting of such board, to help build a knowledgeable and meaningful relationship between the authority and such board, and to understand the issues faced by the surrounding community;

(c) submit reports to the authority with respect to issues or concerns raised by such board; and

(d) upon request of the community board, notify such board of regularly scheduled meetings of the authority that could be of interest to such

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

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board and provide an agenda for such meeting at least fifteen days prior to the meeting.

§ 2. Section 131 of the alcoholic beverage control law, as added by section 1 of part J of chapter 56 of the laws of 2006, is amended to read as follows:

§ 131. New York alcoholic beverage control problem premises task force. 1. There is hereby created within the authority the New York alcoholic beverage control problem premises task force (hereinafter "task force"), which shall consist of employees of the authority as designated by the members of the authority, provided however, that the task force shall include at least one investigator **each** from the Albany office, [~~one investigator from~~] the Buffalo office, and [~~one investigator from~~] the New York city office.

2. In any case where the authority receives notification from the mayor, chief of police, police commissioner, sheriff, or local legislative body of any city, town or village which certifies that continued operation of an on-premises establishment poses [~~a~~] **an actual or potentially** significant threat to the public health, safety, or welfare [~~requiring~~] **of the surrounding community that requires** immediate action, the authority shall assign responsibility for conducting an investigation concerning such premises to the task force. In the city of New York, the community board established pursuant to section twenty-eight hundred of the New York city charter with jurisdiction over the area in which such premises is located shall be considered the appropriate local legislative body.

3. Not more than fourteen calendar days after receipt by the authority of a notification as provided in this section, the task force shall commence an investigation into the operation of the establishment. The task force shall complete its investigation and the authority shall commence a disciplinary hearing proceeding pursuant to this chapter for revocation or other appropriate action within forty-five calendar days, unless the task force determines in written findings that **more time is needed to satisfactorily complete such investigation or that** no disciplinary charges are warranted. **Such extension of time for completion of the investigation shall be for no more than sixty calendar days.** A copy of any such determination shall be sent to the mayor, chief of police, police commissioner, sheriff, or local legislative body of the city, town or village that filed the notification with the authority. The authority shall notify the mayor, chief of police, police commissioner, sheriff, or local legislative body of the city, town or village that filed the notification to the authority of the final disposition of the disciplinary proceeding within ten business days of the completion of this process.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.