AN ACT to amend the alcoholic beverage control law, in relation to reducing the license fees for businesses that were unable to operate as a result of the COVID-19 pandemic; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Section 57 of the alcoholic beverage control law is amended by adding a new subdivision 3 to read as follows:

3. For renewal of any license under this article from March seventh, two thousand twenty through December thirty-first, two thousand twenty-one, the license fee shall be reduced in proportion to the number of months that the license holder was unable to sell alcohol on the premises due to executive orders related to the novel coronavirus, COVID-19, pandemic.

§ 2. Section 67 of the alcoholic beverage control law, as amended by section 4 of part Z of chapter 85 of the laws of 2002, is amended to read as follows:

§ 67. License fees, duration of licenses; fee for part of year. Effective April first, nineteen hundred eighty-three, licenses issued pursuant to sections sixty-one, sixty-two, sixty-three, sixty-four, sixty-four-a and sixty-four-b of this article shall be effective for three years at three times that annual fee, except that, in implementing the purposes of this section, the liquor authority shall schedule the commencement dates, duration and expiration dates thereof to provide for an equal cycle of license renewals issued under each such section through the course of the fiscal year. Effective December first, nineteen hundred ninety-eight, licenses issued pursuant to sections sixty-four, sixty-four-a and sixty-four-b of this article shall be effective for two years at two times that annual fee, except that, in implementing the purposes of this section, the liquor authority shall schedule the commencement dates, duration and expiration dates thereof to provide for an equal cycle of license renewals issued under each such section

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

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through the course of the fiscal year. Notwithstanding the foregoing, commencing on December first, nineteen hundred ninety-eight and concluding on July thirty-first, two thousand two, a licensee issued a license pursuant to section sixty-four, sixty-four-a or sixty-four-b of this article may elect to remit the fee for such license in equal annual installments. Such installments shall be due on dates established by the liquor authority and the failure of a licensee to have remitted such annual installments after a due date shall be a violation of this chapter. For licenses issued for less than the three-year licensing period, the license fee shall be levied on a pro-rated basis. The entire license fee shall be due and payable at the time of application. The liquor authority may make such rules as shall be appropriate to carry out the purpose of this section. Notwithstanding the foregoing, for renewal of any license under this article from March seventh, two thousand twenty through December thirty-first, two thousand twenty-one, the license fee shall be reduced in proportion to the number of months that the license holder was unable to sell alcohol on the premises due to executive orders related to the novel coronavirus, COVID-19, pandemic.

§ 3. This act shall take effect immediately and shall expire and be deemed repealed December 31, 2021.