STATE OF NEW YORK

10695

IN ASSEMBLY

July 1, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Carroll) -- read once and referred to the Committee on Economic Development

AN ACT in relation to making it lawful for a person to possess an open container of alcohol and to consume alcohol in public in municipalities in which bars and/or restaurants are not operating at full capacity due to 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. Notwithstanding any other general, special or local law, rule or regulation, code, ordinance or city charter to the contrary, in any municipality of the state in which bars and/or restaurants are unable to operate at full capacity because of restrictions put in place due to the state disaster emergency declared by executive order number 202, and any further amendments or modifications thereto, it shall be lawful for a person to:

(a) possess an open container of alcohol in public; and

(b) consume alcohol in public.

§ 2. This act shall take effect immediately, provided, however, that this act shall be subject to the expiration of the state disaster emergency declared for the entire state by executive order number 202 and any further amendments or modifications, and as may be further extended pursuant to section 28 of the executive law, and shall be deemed to expire and be repealed therewith; provided, further, that the attorney general shall notify the legislative bill drafting commission upon the occurrence of the expiration of the state disaster emergency declared by executive order number 202 and any further amendments or modifications, and as may be further extended pursuant to section 28 of the executive law, in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.

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

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