

STATE OF NEW YORK

2244

2019-2020 Regular Sessions

IN ASSEMBLY

January 22, 2019

Introduced by M. of A. KIM -- read once and referred to the Committee on Economic Development

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:

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

3 § 110-c. Community liaison. 1. The authority is authorized to design-
4 ate a community liaison for each community board located in the city of
5 New York.

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

12 3. The community liaison shall:

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

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

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

21 (d) upon request of the community board, notify such board of regular-
22 ly 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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1 board and provide an agenda for such meeting at least fifteen days prior
2 to the meeting.

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

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

14 2. In any case where the authority receives notification from the
15 mayor, chief of police, police commissioner, sheriff, or local legisla-
16 tive body of any city, town or village which certifies that continued
17 operation of an on-premises establishment poses [~~a~~] an actual or poten-
18 tially significant threat to the public health, safety, or welfare
19 [~~requiring~~] of the surrounding community that requires immediate action,
20 the authority shall assign responsibility for conducting an investi-
21 gation concerning such premises to the task force. In the city of New
22 York, the community board established pursuant to section twenty-eight
23 hundred of the New York city charter with jurisdiction over the area in
24 which such premises is located shall be considered the appropriate local
25 legislative body.

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

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