

STATE OF NEW YORK

2747

2019-2020 Regular Sessions

IN ASSEMBLY

January 25, 2019

Introduced by M. of A. LAVINE, ZEBROWSKI, GUNTHER, GALEF, THIELE, CAHILL, M. G. MILLER -- Multi-Sponsored by -- M. of A. ABBATE, BARCLAY, CROUCH, FINCH, GIGLIO, GOODELL, MONTESANO, RAIA -- read once and referred to the Committee on Economic Development

AN ACT to amend the alcoholic beverage control law, in relation to the sale of non-food wine or liquor supplies, accessories and/or barware

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

1 Section 1. Subdivision 4 of section 63 of the alcoholic beverage
2 control law, as amended by chapter 360 of the laws of 2017, is amended
3 to read as follows:

4 4. No licensee under this section shall be engaged in any other busi-
5 ness on the licensed premises. The sale of lottery tickets, when duly
6 authorized and lawfully conducted, the sale of corkscrews or the sale of
7 ice or the sale of publications, including prerecorded video and/or
8 audio cassette tapes, or educational seminars, designed to help educate
9 consumers in their knowledge and appreciation of alcoholic beverages, as
10 defined in section three of this chapter and allowed pursuant to their
11 license, or the sale of non-carbonated, non-flavored mineral waters,
12 spring waters and drinking waters or the [~~sale of glasses designed for~~
13 ~~the consumption of wine, racks designed for the storage of wine, and~~
14 ~~devices designed to minimize oxidation in bottles of wine which have~~
15 ~~been uncorked]~~ sale of non-food wine or liquor supplies, accessories
16 and/or barware, which shall include, but not be limited to, any item
17 utilized for the storage, transport, serving or consumption of wine or
18 liquor or for decorative purposes whether sold as single items or
19 combined into a package containing wine or liquor, publications,
20 subscription services, memberships, loyalty programs and education in
21 the form of live, webinar or prerecorded content designed to help
22 educate consumers in their knowledge, use, consumption and appreciation
23 of alcoholic beverages, including recipes and food and beverage pairing,

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

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1 and wine-making and cider-making equipment and supplies including, but
2 not limited to, home wine-making and cider-making kits, presses, pumps,
3 bottling equipment, filters, yeasts, chemicals and other wine and cider
4 additives, storage or fermenting vessels, barrels, tools and devices, or
5 the sale of gift bags, gift boxes, or wrapping, for alcoholic beverages
6 purchased at the licensed premises shall not constitute engaging in
7 another business within the meaning of this subdivision. Any fee
8 obtained from the sale of an educational seminar shall not be considered
9 as a fee for any tasting that may be offered during an educational semi-
10 nar, provided that such tastings are available to persons who have not
11 paid to attend the seminar and all tastings are conducted in accordance
12 with section sixty-three-a of this article.

13 § 2. This act shall take effect immediately.