

STATE OF NEW YORK

10509

IN ASSEMBLY

May 31, 2022

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

AN ACT to amend the alcoholic beverage control law, in relation to
authorizing retail licenses to sell liquor for on-premises consumption
at airline lounges

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

1 Section 1. Section 3 of the alcoholic beverage control law is amended
2 by adding a new subdivision 39 to read as follows:

3 39. "Airline lounge" means and includes any premises located within an
4 airport and such premises is owned or operated by a United States
5 certificated airline which regularly and in a bona fide manner furnishes
6 provisions and services therein.

7 § 2. Subdivision 5 of section 64 of the alcoholic beverage control
8 law, as amended by chapter 258 of the laws of 1976, is amended to read
9 as follows:

10 5. No retail license under this section shall be granted except for
11 such premises as are being conducted as a bona fide hotel provided that
12 a restaurant is operated in such premises, restaurant, catering estab-
13 lishment, club, airline lounge, railroad car, vessel or aircraft being
14 operated on regularly scheduled flights by a United States certificated
15 airline.

16 § 3. Section 106 of the alcoholic beverage control law is amended by
17 adding a new subdivision 8-a to read as follows:

18 8-a. A license issued for such premises as are being conducted as an
19 airline lounge shall authorize the holder thereof to sell at retail or
20 give away alcoholic beverages only to persons with certain airline tick-
21 et privileges and loyalty program members as authorized by such licensee
22 and only for consumption on the premises where sold. Food shall be made
23 regularly available for sale or otherwise to such persons for consump-
24 tion on the premises. The availability of sandwiches, soups or other
25 foods, whether fresh, processed, pre-cooked or frozen, shall be deemed
26 compliance with this requirement. Section one hundred seventeen-a of
27 this article shall not apply to the holder of such license.

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

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1 § 4. This act shall take effect immediately.