STATE OF NEW YORK

5468

2021-2022 Regular Sessions

IN ASSEMBLY

February 17, 2021

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

AN ACT to amend the alcoholic beverage control law, in relation to permitting the sale of certain food items in liquor stores; and to repeal certain provisions of such law relating to the ownership of more than one liquor license

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

Section 1. Subdivision 4 of section 63 of the alcoholic beverage control law, as amended by section 3 of part H of chapter 58 of the laws of 2019, is amended to read as follows:

4. No licensee under this section shall be engaged in any other business on the licensed premises. The sale of lottery tickets, when duly authorized and lawfully conducted, the sale of reusable bags as defined in section 27-2801 of the environmental conservation law, the sale of corkscrews [~~or~~], the sale of ice [~~or~~], the sale of publications, including prerecorded video and/or audio cassette tapes, or educational seminars, designed to help educate consumers in their knowledge and appreciation of alcoholic beverages, as defined in section three of this chapter and allowed pursuant to their license, [~~or~~] the sale of non-carbonated, non-flavored mineral waters, spring waters and drinking waters [~~or~~], the sale of glasses designed for the consumption of wine, racks designed for the storage of wine, and devices designed to minimize oxidation in bottles of wine which have been uncorked, [~~or the sale of gift bags, gift boxes, or wrapping, for alcoholic beverages purchased at the licensed premises~~] **or the sale of food items typically consumed with wine, including but not limited to cheeses, fruits, vegetables, chocolates, breads and crackers,** shall not constitute engaging in another business within the meaning of this subdivision. Any fee obtained from the sale of an educational seminar shall not be considered as a fee for any tasting that may be offered during an educational seminar, provided

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

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that such tastings are available to persons who have not paid to attend the seminar and all tastings are conducted in accordance with section sixty-three-a of this article.

§ 2. Subdivision 5 of section 63 of the alcoholic beverage control law is REPEALED and subdivision 6 is renumbered subdivision 5.

§ 3. This act shall take effect immediately.