

# STATE OF NEW YORK

6325

2021-2022 Regular Sessions

## IN ASSEMBLY

March 12, 2021

Introduced by M. of A. STIRPE, M. MILLER, SANTABARBARA -- read once and referred to the Committee on Economic Development

AN ACT to amend the alcoholic beverage control law, in relation to permitting licensees authorized to sell liquor at retail for consumption off the premises to sell additional related items

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 section 3 of part H of chapter 58 of the laws  
3 of 2019, is amended 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 reusable bags as defined  
7 in section 27-2801 of the environmental conservation law, the sale of  
8 corkscrews or the sale of ice or the sale of publications, including  
9 prerecorded video and/or audio cassette tapes, or educational seminars,  
10 designed to help educate consumers in their knowledge and appreciation  
11 of alcoholic beverages, as defined in section three of this chapter and  
12 allowed pursuant to their license, or the sale of non-carbonated, non-  
13 flavored mineral waters, spring waters and drinking waters or the sale  
14 of glasses designed for the consumption of wine, racks designed for the  
15 storage of wine, and devices designed to minimize oxidation in bottles  
16 of wine which have been uncorked, [~~or the sale of gift bags, gift boxes,  
17 or wrapping, for alcoholic beverages purchased at the licensed premises~~]  
18 additional items related to the sale of liquor, including but not  
19 limited to novelty clothing, liquor and wine accessories, glassware,  
20 pre-packaged gift baskets containing liquor or wine with accessories,  
21 liquor candy, gift bags and books, shall not constitute engaging in  
22 another business within the meaning of this subdivision. Any fee  
23 obtained from the sale of an educational seminar shall not be considered  
24 as a fee for any tasting that may be offered during an educational semi-

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

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1 nar, provided that such tastings are available to persons who have not  
2 paid to attend the seminar and all tastings are conducted in accordance  
3 with section sixty-three-a of this article.  
4 § 2. This act shall take effect immediately.