STATE OF NEW YORK

5764

2021-2022 Regular Sessions

IN SENATE

March 18, 2021

Introduced by Sen. RYAN -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the alcoholic beverage control law, in relation to license and permit applications

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

Section 1. Section 110-c of the alcoholic beverage control law, as added by chapter 340 of the laws of 2019, is amended to read as follows:

§ 110-c. Public license query. **1.** The authority shall make available to the public all digitally archived information pertaining to any conditions it imposes on the operation of a premises licensed by the authority pursuant to this chapter, including but not necessarily limited to information pertaining to the hours during which the licensed premises is allowed to operate, the maximum permitted occupancy of the licensed premises, and any special conditions imposed by the authority on the licensed premises.

2. The authority shall make available to the public on its public website a daily updated list of all open license and permit applications received by the authority, in the order that they are received. Such list shall utilize the serial, certificate or other identifying number assigned by the authority, as provided by subdivision one of section one hundred fourteen-a of this article, to provide the applicant with information on the status of their application's review. Such list on the authority's public website shall include, but not be limited to, the following information: the name and complete address of the applicant; the county of the applicant; the license type and class the applicant is seeking; the date such application has been received and if any license or permit fee has been paid; based on the date submitted, an estimated timeframe, in weeks, for an application final determination; if the initial timeframe needs to be revised, then modified timeframe going

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

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forward shall be posted and denoted in the same manner; and if the authority has issued any temporary permit or license for the applicant's premises; and the final date of an applications determination.

3. The authority shall maintain a record of the number of licenses or permits applied for and the length of time required for the approval or denial of such licenses or permits on its public website. Such records shall be updated at least monthly by the authority.

4. If an applicant's estimated time for a final application determination is modified from the original estimate as provided for in subdivision one of section one hundred fourteen-a of this article, then the authority shall immediately notify the applicant.

§ 2. Section 114-a of the alcoholic beverage control law, as added by chapter 361 of the laws of 1994, is amended to read as follows:

§ 114-a. License or permit issuance and registration approval. 1. The authority upon acceptance of any payment by an applicant for a license or permit issued under this chapter shall furnish such applicant with a receipt within fifteen days indicating that the appropriate license or permit fee has been accepted and paid in full. Such receipt shall include the date of acceptance of such license or permit application fee as well as an estimated length of time, based on an initial review of the application for a license or permit, necessary for the authority to review and process such application as required for the approval or denial of such license or permit. Such receipt shall include a unique serial, certification or other identifying number to be assigned by the authority to the applicant for queries about such license or permit application status.

2. No license or permit shall be issued and no registration approved pursuant to this chapter until such time as any check or draft submitted for payment of the required fee has been honored by the payor financial institution, provided, however, that this provision shall not apply in the case of a certified check, bank officers' check or money order.

§ 3. This act shall take effect on the sixtieth day after it shall have become a law; provided, however that section one of this act shall take effect one year after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.