

# STATE OF NEW YORK

9289

## IN SENATE

May 12, 2022

Introduced by Sen. SKOUFIS -- 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 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 Assembly, 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.

28 § 4. This act shall take effect immediately.

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

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