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:

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

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

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

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

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

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

§ 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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