STATE OF NEW YORK

1272

2021-2022 Regular Sessions

IN ASSEMBLY

January 8, 2021

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

AN ACT to amend the alcoholic beverage control law, in relation to enacting the "New York beverage modernization act"; and to repeal certain provisions of such law relating thereto

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

Section 1. This act shall be known and may be cited as the "New York beverage modernization act".

§ 2. Paragraph (a) of subdivision 14 of section 105 of the alcoholic beverage control law, as amended by section 1 of part U of chapter 63 of the laws of 2003, is amended to read as follows:

(a) No premises licensed to sell liquor and/or wine for off-premises consumption shall be permitted to remain open[~~:~~

~~(i) On Sunday before twelve o'clock post meridian and after nine o'clock post meridian.~~

~~(ii) On~~] on any day between midnight and eight o'clock antemeridian.

[~~(iii) On the twenty-fifth day of December, known as Christmas day.~~]

In any community where daylight saving time is in effect, such time shall be deemed the standard time for the purpose of this subdivision.

§ 3. Section 105-a of the alcoholic beverage control law is REPEALED.

§ 4. Subdivision 5 of section 106 of the alcoholic beverage control law, as amended by chapter 83 of the laws of 1995, paragraphs (a) and (b) as amended and paragraph (c) as added by section 1 of part FF of chapter 55 of the laws of 2020, is amended to read as follows:

5. No alcoholic beverages shall be sold, offered for sale or given away upon any premises licensed to sell alcoholic beverages at retail for on-premises consumption[~~, during the following hours~~]:

[~~(a) Except as provided in paragraph (c) of this subdivision, on Sunday, from four ante meridiem to ten o'clock a.m., except pursuant to a permit issued under section ninety-nine-h of this chapter.~~

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

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[~~(b)~~] (a) Except as provided in paragraph [~~(c)~~] (b) of this subdivision, on any [~~other~~] day between four ante meridiem and eight ante meridiem.

[~~(c)~~] (b) On any day between three ante meridian and six ante meridian, for a premises located within an international airport owned or operated by the Port Authority of New York and New Jersey. The provisions of this paragraph shall not be subject to change pursuant to subdivision [~~eleven~~] nine of section seventeen of this chapter.

Unless otherwise approved by the authority pursuant to subdivision [~~eleven~~] nine of section seventeen of this chapter, where any rule has been adopted in a county on or before April first, nineteen hundred ninety-five, further restricting the hours of sale for alcoholic beverages, such restricted hours shall be the hours, during which the sale of alcoholic beverages at retail for on-premises consumption shall not be permitted within such county.

Nor shall any person be permitted to consume any alcoholic beverages upon any such premises later than one-half hour after the start of the prohibited hours of sale provided for in this section.

§ 5. Subdivision 6 of section 117-a of the alcoholic beverage control law is REPEALED.

§ 6. Subdivision 4 of section 130 of the alcoholic beverage control law, as amended by chapter 186 of the laws of 1949, is amended to read as follows:

4. In the city of New York, a summons shall be issued for a violation of the provisions of subdivision fourteen of section one hundred [~~and~~] five[~~, section one hundred and five-a~~] and subdivision five of section one hundred [~~and~~] six of this chapter in the same manner as provided by subdivision h of section one hundred [~~and~~] sixteen of the New York city criminal courts act.

§ 7. This act shall take effect on the ninetieth day after it shall have become a law.