STATE OF NEW YORK

10314

IN ASSEMBLY

May 17, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Gray) -- read once and referred to the Committee on Economic Development

AN ACT to amend the alcoholic beverage control law, in relation to law enforcement responses and premises closing times

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

Section 1. Short title. This act shall be known and may be cited as the "responsible neighborhood preservation act".

§ 2. Legislative findings and intent. The legislature hereby finds and declares that the operation on licensed premises for the sale of alcoholic beverages can have a significant impact on the quality of life in the neighborhoods where such premises are located. The legislature further finds that repeated law enforcement interventions at the same premises can be indicative of management practices that are detrimental to the health, safety, and welfare of the community. It is, therefore, the intent of the legislature to encourage the responsible operation of such premises and to provide for the mitigation of adverse impacts on the community.

§ 3. The alcoholic beverage control law is amended by adding a new section 106-c to read as follows:

§ 106-c. Law enforcement responses. 1. Notwithstanding any other provision of law, rule, or regulation to the contrary, any licensed premises under this chapter that has required a response by law enforcement officers on more than three separate occasions in any one calendar month shall have its closing hours adjusted to no later than midnight on all days of the week, for a period of no less than six months.

2. For the purposes of this section, a "law enforcement response" shall mean any instance where law enforcement officers are dispatched to the licensed premises in response to a call or complaint alleging activities, including but not limited to disorderly conduct, noise violations, fights, disturbances, public intoxication, or other criminal activity.

3. The state liquor authority shall promulgate rules and regulations necessary for the enforcement of this section, including but not limited

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

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to the establishment of a process for documenting and verifying law enforcement responses and a process for the licensed premises to appeal the adjustment of closing hours.

§ 4. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

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