

# STATE OF NEW YORK

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7492

2023-2024 Regular Sessions

## IN ASSEMBLY

May 25, 2023

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

AN ACT to amend chapter 238 of the laws of 2021 relating to permitting the use of municipal space for outdoor dining, in relation to the definition of non-contiguous municipal public space

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

1 Section 1. Paragraph (iv) of subdivision (b) of section 2 of chapter  
2 238 of the laws of 2021 relating to permitting the use of municipal  
3 space for outdoor dining, as amended by chapter 165 of the laws of 2022,  
4 is amended to read as follows:

5 (iv) is separated from the licensed premises only by one or more of  
6 the following: a pedestrian thoroughfare, a thoroughfare primarily  
7 restricted to use by bicycles, or a portion of a thoroughfare with such  
8 restrictions; and

9 § 2. This act shall take effect immediately; provided that the amend-  
10 ments to chapter 238 of the laws of 2021 made by section one of this act  
11 shall not affect the repeal of such chapter and shall be deemed repealed  
12 therewith.

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

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