STATE OF NEW YORK

2636

2023-2024 Regular Sessions

IN SENATE

January 23, 2023

Introduced by Sen. GRIFFO -- 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 the liquor authority to issue temporary liquor permits

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

Section 1. The alcoholic beverage control law is amended by adding a new section 97-d to read as follows:

§ 97-d. Temporary liquor permit. 1. The liquor authority is hereby authorized to issue temporary permits effective for a period not to exceed twenty-four consecutive hours to authorize the sale of liquor manufactured in New York state at outdoor or indoor gatherings, functions, occasions or events, within the hours fixed by or pursuant to subdivision five of section one hundred six of this chapter, during which alcoholic beverages may lawfully be sold or served upon premises licensed to sell alcoholic beverages at retail for on-premises consumption in the community in which is located the premises in which such gathering, function, occasion or event is held. The fee for such permit shall be forty dollars. Such permit and the exercise of the privilege granted thereby shall be subject to such rules of the liquor authority as it deems necessary.

2. The liquor authority is hereby authorized to issue an annual permit to distillers, importers, and liquor wholesalers authorizing such licensees to sell liquor for consumption at outdoor or indoor gatherings, functions, occasions or events, provided that such gatherings are not open to admission to the general public nor is admission thereto made contingent upon the payment of an admission fee, donation or contribution, and further provided that such liquor is not resold at such gatherings. Every distiller, importer, or liquor wholesaler to whom a permit shall be issued hereunder shall require every person to whom liquor

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

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shall be sold for use at such gatherings to make, execute and file with such distiller, importer, or liquor wholesaler, upon a form to be prescribed by the liquor authority, a statement, that the liquor purchased by such person will not be sold or offered for sale by such person. Such statement shall be accepted for all purposes as the equivalent of an affidavit, and if false, shall subject the person making and executing the same to the same penalties as if he had been duly sworn. Such permit shall be issued in the form prescribed by the liquor authority and shall run concurrently with the annual term of the distiller's, importer's, or the wholesaler's liquor license, and the fee for such permit shall be eighty dollars. Such a permit and the exercise of the privileges granted thereunder shall be subject to such rules by the liquor authority as it deems necessary. The provisions hereof shall not apply to the sale of liquor for consumption in the home.

§ 2. This act shall take effect immediately.