

STATE OF NEW YORK

6443

2023-2024 Regular Sessions

IN SENATE

April 20, 2023

Introduced by Sen. HINCHEY -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the alcoholic beverage control law, in relation to changing the duration of certain licenses

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

1 Section 1. Section 57-a of the alcoholic beverage control law, as
2 added by chapter 504 of the laws of 1975, is amended to read as follows:
3 § 57-a. Change in duration of licenses. The liquor authority is
4 authorized to change the periods during which the licenses authorized by
5 sections fifty-one, fifty-one-a, fifty-three-a, fifty-four, fifty-five
6 and fifty-five-a shall be effective and to establish the commencement
7 dates, duration and expiration dates thereof, provided that no such
8 license shall be effective for a period in excess of three years. When
9 any change or changes are made in the duration of any such license, the
10 license fee shall be equal to the annual license fee specified in this
11 article multiplied by the number of years for which such license is
12 issued. The liquor authority may make such rules as shall be appropri-
13 ate to carry out the purpose of this section.

14 § 2. Section 67 of the alcoholic beverage control law, as amended by
15 chapter 703 of the laws of 2022, is amended to read as follows:

16 § 67. License fees, duration of licenses; fee for part of year.
17 Effective April first, nineteen hundred eighty-three, licenses issued
18 pursuant to sections sixty-one, sixty-two, sixty-three, sixty-four,
19 sixty-four-a, sixty-four-b, sixty-four-c and sixty-four-e of this arti-
20 cle shall be effective for three years at three times that annual fee,
21 except that, in implementing the purposes of this section, the liquor
22 authority shall schedule the commencement dates, duration and expiration
23 dates thereof to provide for an equal cycle of license renewals issued
24 under each such section through the course of the fiscal year. Effective

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

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1 December first, nineteen hundred ninety-eight, licenses issued pursuant
2 to sections sixty-four, sixty-four-a and sixty-four-b of this article
3 shall be effective for two years at two times that annual fee, except
4 that, in implementing the purposes of this section, the liquor authority
5 shall schedule the commencement dates, duration and expiration dates
6 thereof to provide for an equal cycle of license renewals issued under
7 each such section through the course of the fiscal year. Notwithstanding
8 the foregoing, commencing on December first, nineteen hundred ninety-
9 eight and concluding on July thirty-first, two thousand two, a licensee
10 issued a license pursuant to section sixty-four, sixty-four-a or sixty-
11 four-b of this article may elect to remit the fee for such license in
12 equal annual installments. Such installments shall be due on dates
13 established by the liquor authority and the failure of a licensee to
14 have remitted such annual installments after a due date shall be a
15 violation of this chapter. For licenses issued for less than the three-
16 year licensing period, the license fee shall be levied on a pro-rated
17 basis. The entire license fee shall be due and payable at the time of
18 application. The liquor authority may make such rules as shall be appro-
19 priate to carry out the purpose of this section.

20 § 3. This act shall take effect on the one hundred eightieth day after
21 it shall have become a law. Effective immediately, the addition, amend-
22 ment and/or repeal of any rule or regulation necessary for the implemen-
23 tation of this act on its effective date are authorized to be made and
24 completed on or before such effective date.