STATE OF NEW YORK

9464

IN SENATE

May 15, 2024

Introduced by Sen. GIANARIS -- 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 private membership establishments to have certain licenses for sale of alcohol

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

Section 1. Section 3 of the alcoholic beverage control law is amended by adding a new subdivision 39 to read as follows:

39. "Private membership establishment" shall mean an association operated by an individual, corporation, partnership, company, or any other for-profit entity which is the owner, lessee, or occupant of a premises used exclusively for such association's purposes, and which is operated solely for a recreational, social, communal workspace or athletic purposes. A "member" of a private membership establishment shall mean a person who, whether a charter member or admitted in agreement with the by-laws of such private membership establishment, has become a bona fide member thereof, who maintains the private membership by the payment of their annual dues in a bona fide manner in accordance with the by-laws and whose name and address is entered on such private membership establishment's list of members. A private membership establishment must have one hundred or more members and shall be subject to the provisions of section one hundred ten of this chapter. Private membership establishments may have ticketed events for their members or members' guests, but a business or facility that sells tickets to the general public shall not be considered a private membership establishment.

§ 2. Subdivision 5 of section 64 of the alcoholic beverage control law, as amended by chapter 258 of the laws of 1976, is amended to read as follows:

5. No retail license under this section shall be granted except for such premises as are being conducted as a bona fide hotel provided that a restaurant is operated in such premises, restaurant, catering establishment, club, *private membership establishment,* railroad car, vessel

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

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or aircraft being operated on regularly scheduled flights by a United States certificated airline.

§ 3. Subdivision 8 of section 106 of the alcoholic beverage control law is amended to read as follows:

8. A **private membership establishment,** club or a luncheon club licensed to sell alcoholic beverages for on-premises consumption shall be permitted to sell such beverages only to its members and to their guests accompanying them.

§ 4. This act shall take effect immediately.