STATE OF NEW YORK

4040

2023-2024 Regular Sessions

IN ASSEMBLY

February 9, 2023

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

AN ACT to amend the alcoholic beverage control law, in relation to making certain liquor license fees payable in installments; and providing for the repeal of certain provisions upon the expiration thereof

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

Section 1. Section 67 of the alcoholic beverage control law, as amended by chapter 703 of the laws of 2022, is amended to read as follows:

§ 67. License fees, duration of licenses; fee for part of year. [~~Effective April first, nineteen hundred eighty-three, licenses~~] **1. Licenses** issued pursuant to sections sixty-one, sixty-two[~~,~~] **and** sixty-three[~~, sixty-four, sixty-four-a, sixty-four-b and sixty-four-e~~] of this article shall be effective for three years at three times that annual fee, except that, in implementing the purposes of this [~~section~~] **subdivision**, the liquor authority shall schedule the commencement dates, duration and expiration dates thereof to provide for an equal cycle of license renewals issued under each such section through the course of the fiscal year. [~~Effective December first, nineteen hundred ninety-eight, licenses~~]

2. Licenses issued pursuant to sections sixty-four, sixty-four-a [~~and~~]**,** sixty-four-b**, sixty-four-c, sixty-four-d and sixty-four-e** of this article shall be effective for two years at two times that annual fee **established in such sections**, except that, in implementing the purposes of this [~~section~~] **subdivision**, the liquor authority shall schedule the commencement dates, duration and expiration dates thereof to provide for an equal cycle of license renewals issued under each such section through the course of the fiscal year. Notwithstanding the foregoing, [~~commencing on December first, nineteen hundred ninety-eight and~~

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

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~~concluding on July thirty-first, two thousand two,~~] a licensee issued a license pursuant to section sixty-four, sixty-four-a [~~or~~], sixty-four-b, sixty-four-c, sixty-four-d or sixty-four-e of this article may elect to remit the fee for such license in equal annual installments. Such installments shall be due on dates established by the liquor authority and the failure of a licensee to have remitted such annual installments after a due date shall be a violation of this chapter.

2-a. For all renewals of licenses issued pursuant to this section, the fee shall be discounted by fifty percent.

3. For licenses issued for less than the three-year licensing period, the license fee shall be levied on a pro-rated basis. The entire license fee shall be due and payable at the time of application.

4. The liquor authority may make such rules as shall be appropriate to carry out the purpose of this section.

§ 2. This act shall take effect immediately and apply to licenses issued or renewed on or after such date; provided, however, that subdivision 2-a of section 67 of the alcoholic beverage control law, as added by section one of this act, shall expire and be deemed repealed December 31, 2023.