STATE OF NEW YORK

6134

2023-2024 Regular Sessions

IN ASSEMBLY

April 3, 2023

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

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:

Section 1. Section 57-a of the alcoholic beverage control law, as added by chapter 504 of the laws of 1975, is amended to read as follows:

§ 57-a. Change in duration of licenses. The liquor authority is authorized to change the periods during which the licenses authorized by sections **fifty-one, fifty-one-a,** fifty-three-a, fifty-four, fifty-five and fifty-five-a shall be effective and to establish the commencement dates, duration and expiration dates thereof, provided that no such license shall be effective for a period in excess of three years. When any change or changes are made in the duration of any such license, the license fee shall be equal to the annual license fee specified in this article multiplied by the number of years for which such license is issued. The liquor authority may make such rules as shall be appropriate to carry out the purpose of this section.

§ 2. 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 issued pursuant to sections sixty-one, sixty-two, sixty-three, sixty-four, sixty-four-a, sixty-four-b**, sixty-four-c** 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, 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 issued pursuant

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

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to sections sixty-four, sixty-four-a and sixty-four-b of this article shall be effective for two years at two times that annual fee, except that, in implementing the purposes of this section, 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 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 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. 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. The liquor authority may make such rules as shall be appropriate to carry out the purpose of this section.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.