

# STATE OF NEW YORK

7085

2023-2024 Regular Sessions

## IN SENATE

May 17, 2023

Introduced by Sen. WEBB -- 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 manufacture of beer, spirits, cider, wine and mead at the community college in Broome county and Cornell university, acting on behalf of the New York state college of agriculture and life sciences and the New York state agricultural experiment station

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

1 Section 1. Section 101 of the alcoholic beverage control law is  
2 amended by adding a new subdivision 9 to read as follows:

3 9. (a) Notwithstanding any other provision of law to the contrary, the  
4 state liquor authority shall issue a license under section seventy-six-a  
5 of this chapter to Cornell university on behalf of the New York state  
6 college of agriculture and life sciences and the New York state agricul-  
7 tural experiment station as defined in sections fifty-seven hundred  
8 twelve and fifty-seven hundred thirteen of the education law. Issuance  
9 of such a license shall not preclude or nullify other licenses granted  
10 to Cornell university, whether now or in the future, in all its  
11 locations in New York state in accordance with the provisions of this  
12 chapter. Issuance of such a license shall not restrict the ability of  
13 Cornell university, or the New York state college of agriculture and  
14 life sciences and the New York state agricultural experiment station to  
15 conduct research, teaching, education, extension and outreach, and  
16 economic development activities related to products that are not regu-  
17 lated by this chapter.

18 (b) Cornell university, acting on behalf of the New York state college  
19 of agriculture and life sciences and the New York state agricultural  
20 experiment station may, but shall not be required to, produce wine,

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

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1 beer, distilled spirits, distillates, cider, mead and other fermented  
2 products as a condition of such license.

3 (c) No person shall be disqualified from acting as a director, advi-  
4 sory council member, officer, or employee of, or purveyor to, Cornell  
5 university and the New York state college of agriculture and life  
6 sciences and the New York state agricultural experiment station by  
7 reason of such person holding a license under this subdivision, or being  
8 affiliated with a licensee under this subdivision as a shareholder,  
9 partner, officer, director, or employee.

10 (d) No person shall be disqualified from being a donor, patron,  
11 contributor or sponsor from time to time of Cornell university and the  
12 New York state college of agriculture and life sciences and the New York  
13 state agricultural experiment station through contributions in cash or  
14 in kind, by reason of such person holding a license under this subdivi-  
15 sion, or being affiliated with a licensee under this subdivision as a  
16 shareholder, partner, officer, director, or employee.

17 (e) Notwithstanding any other provision of law to the contrary,  
18 Cornell university, acting through the New York state college of agri-  
19 culture and life sciences and the New York state agricultural experiment  
20 station is expressly authorized to:

21 (i) manufacture New York state produced wines, beers, ciders, mead,  
22 distilled spirits and other fermented products for educational, work-  
23 force development and research purposes to include industrial product or  
24 non-consumable product research;

25 (ii) offer organoleptic tastings, on the premises, of such products  
26 only for the purposes of education, workforce development, and research  
27 and analysis. No fees may be imposed for such tastings, other than as  
28 part of the general cost of an educational course, workshop, or other  
29 instructional event;

30 (iii) provide educational courses, workforce development and experien-  
31 tial learning opportunities within the New York state college of agri-  
32 culture and life sciences and the New York state agricultural experiment  
33 station and allow separately licensed entities to utilize facilities and  
34 equipment located at such places for the production of small-scale,  
35 pilot batches of wine, distilled spirits, cider, mead, beer and other  
36 fermented products not for further retail sale and for research purposes  
37 only; and

38 (iv) conduct product testing and technical analysis including, but not  
39 limited to, sensory analysis, of New York state and non-New York state  
40 manufactured wine, distilled spirits, cider, mead, beer, and other  
41 fermented products in accordance with an internally established fee  
42 schedule.

43 (f) Notwithstanding any other provision of law to the contrary,  
44 Cornell university may: (i) offer educational courses, workshops or  
45 other instructional events on wine, distilled spirits, cider, mead, beer  
46 and other fermented products through any of its colleges, schools or  
47 units, in accordance with internally established fee schedules and under  
48 appropriate licenses; and (ii) authorize the use of its facilities for  
49 conferences and events from time to time, including by other entities  
50 and by the general public, in accordance with internally established fee  
51 schedules and may sell and serve, or authorize others to sell and serve,  
52 at such events wines, beers, ciders, meads, distilled spirits and other  
53 fermented products under appropriate licenses.

54 § 2. Section 101 of the alcoholic beverage control law is amended by  
55 adding a new subdivision 10 to read as follows:

1 10. (a) Notwithstanding any other provision of law to the contrary,  
2 the state liquor authority shall issue a license under section seventy-  
3 six-a of this chapter to the community college in Broome county, estab-  
4 lished pursuant to article one hundred twenty-six of the education law,  
5 in the city of Binghamton, and the Broome county culinary and events  
6 center on the premises described as follows:

7 ALL THAT TRACT OR PARCEL OF LAND, situate in the city of Binghamton,  
8 County of Broome, and State of New York, being more particularly  
9 described as follows:

10 Beginning at a point in the east side of Exchange Street at the south-  
11 west corner of the stone front building known as "Pope Block;" thence,

12 1. Southerly, along the easterly line of Exchange Street, 107.41 feet  
13 (one hundred and seven feet and five inches) to a point where the east-  
14 erly line of Exchange Street intersects the north line of Congdon Place;  
15 thence,

16 2. Easterly, along the north line of Congdon Place, making a measured  
17 interior angle of 93° 01' 02" with the east line of Exchange Street, a  
18 distance of 200.43 feet to a point, said point being 50 feet westerly  
19 from the west line of Myrtle Avenue; thence,

20 3. Northerly, along a line parallel with the west line Myrtle Avenue,  
21 making an interior angle of 88° 59' 55" with the north line of Congdon  
22 Place, a distance of 65.00 feet to a point; thence,

23 4. Westerly, along a line parallel with the north line of Congdon  
24 Place, making an interior angle of 91° 00' 05" with the last described  
25 line, a distance of 71.95 feet to a point; thence,

26 5. Northerly, along a line making an interior angle of 271° 03' 58"  
27 with the last described line a distance of 44.08 feet to a point;  
28 thence,

29 6. Westerly, along a line making an interior angle of 88° 09' 38" with  
30 the last described line, a distance of 133.93 feet to the Point of  
31 Beginning, said line forming a measured interior angle of 87° 45' 22"  
32 with the east line of Exchange street.

33 The above described parcel is shown on a map prepared by Passero Asso-  
34 ciates entitled "Boundary and Topographic Survey, Carnegie Library, 78  
35 Exchange Street", Project No. 201410120.0003, Drawing No. TS-1, Dated  
36 April 20, 2016. Together with and subject to 8 foot wide right-of-way  
37 for ingress and egress along the easterly side of the above premises,  
38 which westerly 4 feet of said right-of-way is located on the above prem-  
39 ises and easterly 4 feet is located on premises to the east, as recited  
40 in Liber 1992 of Deeds, page 243.

41 SNDA (Master Lease) - SUNY Broome 28865746v4

42 (b) The community college in Broome county and Broome county culinary  
43 and events center may, but shall not be required to, produce wine, beer,  
44 distillates, cider and mead as a condition of such license.

45 (c) No person shall be disqualified from acting as a director, advi-  
46 sory council member, officer, or employee of, or purveyor to, the commu-  
47 nity college in Broome county and Broome county culinary and events  
48 center by reason of such person holding a license under this subdivi-  
49 sion, or being affiliated with a licensee under this subdivision as a  
50 shareholder, partner, officer, director, or employee.

51 (d) No person shall be disqualified from being a donor, patron,  
52 contributor or sponsor from time to time of the community college in  
53 Broome county and Broome county culinary and events center through  
54 contributions in cash or in kind, by reason of such person holding a  
55 license under this subdivision, or being affiliated with a licensee

1 under this subdivision as a shareholder, partner, officer, director, or  
2 employee.

3 (e) Notwithstanding any other provision of law to the contrary, the  
4 community college in the Broome county and Broome county culinary and  
5 events center is expressly authorized to:

6 (i) sell New York state produced wines, beers, ciders, meads and  
7 distilled spirits for both on and off-premises consumption;

8 (ii) manufacture New York state produced wines, beers, ciders, meads  
9 and distilled spirits for educational, workforce development and  
10 research purposes to include industrial product or non-consumable prod-  
11 uct innovation research;

12 (iii) offer tastings, on the premises, of such products only for the  
13 purposes of education, workforce development, and research and analysis.  
14 For purposes of this subdivision, tastings may only be conducted on the  
15 premises of the community college in Broome county and Broome county  
16 culinary and events center described in paragraph (a) of this subdivi-  
17 sion. No fees may be imposed for such tastings, other than as part of  
18 the general cost of an educational course, workshop, or other instruc-  
19 tional event;

20 (iv) provide educational courses, workforce development and experien-  
21 tial learning opportunities within the community college in Broome coun-  
22 ty and Broome county culinary and events center; and

23 (v) provide banquet and entertainment facilities for the general  
24 public for private parties in consideration of such fees as are estab-  
25 lished by the community college in Broome county and Broome county culi-  
26 nary and events center from time to time, and to sell and serve at such  
27 events wines, ciders, beers, mead and distilled spirits selected by  
28 persons hiring the facilities.

29 § 3. Severability. If any clause, sentence, paragraph, subdivision,  
30 section or part of this act shall be adjudged by any court of competent  
31 jurisdiction to be invalid, such judgment shall not affect, impair, or  
32 invalidate the remainder thereof, but shall be confined in its operation  
33 to the clause, sentence, paragraph, subdivision, section or part thereof  
34 directly involved in the controversy in which such judgment shall have  
35 been rendered. It is hereby declared to be the intent of the legislature  
36 that this act would have been enacted even if such invalid provisions  
37 had not been included herein.

38 § 4. This act shall take effect immediately.