STATE OF NEW YORK

10620

IN ASSEMBLY

March 13, 2026

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

AN ACT to amend the alcoholic beverage control law, in relation to the exemption of certain parcels of land from licensing restrictions prohibiting manufacturers, wholesalers and retailers of alcoholic beverages from sharing an interest in a licensed premises or to sell at retail for consumption off and on the premises; to repeal certain provisions of such law relating thereto; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Subdivision 25 of section 105 of the alcoholic beverage control law is REPEALED and a new subdivision 25 is added to read as follows:

25. (a) The provisions of subdivisions sixteen and seventeen of this section shall not apply to any interest in a manufacturer inside or outside the United States, held by any business or entity located on any parcels of land in the Borough of Manhattan, City and State of New York, bounded and described as follows:

Beginning at a point on the northerly side of West 48th Street distant 200 feet westerly from the corner formed by the intersection of the north side of West 48th Street with the west side of Fifth Avenue; running thence westerly along the north side of West 48th Street 175 feet to the westerly side of Rockefeller Plaza; thence northerly along the westerly side of Rockefeller Plaza 200 feet 10 inches to the south side of West 49th Street; thence easterly along the south side of West 49th Street 150 feet to a point distant 225 feet westerly from the west side of Fifth Avenue; thence southerly parallel with Fifth Avenue and for part of the distance through a party wall 100 feet 5 inches; thence easterly parallel with West 49th Street, 25 feet; thence southerly parallel with Fifth Avenue, 100 feet 5 inches to the north side of West 48th Street at the place of beginning.

(b) Provided, however, that with respect to such retail licensee's interest in a business engaged in the manufacture of alcoholic beverages described in subdivision sixteen or seventeen of this section:

(i) such interest shall have been acquired prior to the effective date of this subdivision; and

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

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(ii) such retail licensee shall not purchase alcoholic beverages for resale directly from any such manufacturer; provided further that the acquisition of any such beverages from any such manufacturer via the consignment process for the purposes of a sale pursuant to section ninety-nine-g of this chapter shall not be deemed a purchase for resale for the purposes of this section.

§ 2. Subdivision 13 of section 106 of the alcoholic beverage control law is amended by adding a new paragraph (a-2) to read as follows:

(a-2) (i) The provisions of paragraph (a) of this subdivision shall not apply to the holder of a retail on-premises consumption license issued for premises located in the borough of Manhattan, city, county and state of New York, bounded and described as follows: Beginning at a point on the northerly side of West 48th Street distant 200 feet westerly from the corner formed by the intersection of the north side of West 48th Street with the west side of Fifth Avenue; running thence westerly along the north side of West 48th Street 175 feet to the westerly side of Rockefeller Plaza; thence northerly along the westerly side of Rockefeller Plaza 200 feet 10 inches to the south side of West 49th Street; thence easterly along the south side of West 49th Street 150 feet to a point distant 225 feet westerly from the west side of Fifth Avenue; thence southerly parallel with Fifth Avenue and for part of the distance through a party wall 100 feet 5 inches; thence easterly parallel with West 49th Street, 25 feet; thence southerly parallel with Fifth Avenue, 100 feet 5 inches to the north side of West 48th Street at the place of beginning.

(ii) Provided, however, that with respect to such retail licensee's interest in a business engaged in the manufacture of alcoholic beverages described in this subdivision:

(1) such interest shall have been acquired prior to the effective date of this subdivision; and

(2) such retail licensee shall not purchase alcoholic beverages for sale at retail directly from any such manufacturer.

§ 3. This act shall take effect immediately; provided, however, that upon the sale or transfer of the parcels detailed in paragraph (a) of subdivision 25 of section 105 or subparagraph (i) of paragraph (a-2) of subdivision 13 of section 106 of the alcoholic beverage control law, as added by sections one and two of this act, respectively, such subdivision 25 and paragraph (a-2), respectively, shall expire and be deemed repealed unless the licensee immediately obtains a leasehold upon such sale or transfer of such parcel as part of the sale or transfer. If the licensee obtains such a leasehold, then subdivision 25 of section 105 and paragraph (a-2) of subdivision 13 of section 106, of the alcoholic beverage control law, pertaining to such parcel shall expire and be deemed repealed upon the end or termination of such lease. The state liquor authority shall notify the legislative bill drafting commission upon notification by the licensee of the sale, transfer or termination of the leasehold, or non-renewal of the leasehold of the parcel detailed in paragraph (a) of subdivision 25 of section 105, or subparagraph (i) of paragraph (a-2) of subdivision 13 of section 106, of the alcoholic beverage control law, in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.