

# STATE OF NEW YORK

6936

2025-2026 Regular Sessions

## IN ASSEMBLY

March 18, 2025

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

AN ACT to amend the alcoholic beverage control law, in relation to authorizing a certain property operating as a private membership establishment to sell alcohol for on-premises consumption to members and their guests

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

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

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

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

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

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1 5. (a) No retail license under this section shall be granted except  
2 for such premises as are being conducted as a bona fide hotel provided  
3 that a restaurant is operated in such premises, restaurant, catering  
4 establishment, club, railroad car, vessel or aircraft being operated on  
5 regularly scheduled flights by a United States certificated airline.

6 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-  
7 sion, the authority may issue a retail license for on-premises consump-  
8 tion for a premises being conducted as a private membership establish-  
9 ment, provided that a restaurant is operated in such premises, bounded  
10 and described as follows:

11 ALL that certain plot, piece or parcel of land, situate, lying and  
12 being in the Borough of Manhattan, City, County, and State of New York,  
13 bounded and described as follows:

14 BEGINNING at the intersection of the southerly line of South Street,  
15 135 feet wide, and the westerly line of Block 2 Lot 3;

16 THENCE RUNNING the following seven (7) courses and distances:

17 1. Along said westerly line of Block 2 Lot 3, South 16 degrees 50  
18 minutes 39 seconds East a distance of 145.39 feet to a point;

19 2. Thence still along said westerly line of Block 2 Lot 3, North 73  
20 degrees 09 minutes 21 seconds East a distance of 28.67 feet to a point;

21 3. Thence still along said westerly line of Block 2 Lot 3, South 16  
22 degrees 50 minutes 39 seconds East a distance of 419.26 feet to a point  
23 on the U.S. Pierhead Line approved by Secretary of War, February 25,  
24 1918;

25 4. Thence along said U.S. Pierhead Line, South 73 degrees 09 minutes  
26 21 seconds West a distance of 317.76 feet to a point;

27 5. Thence still along said U.S. Pierhead Line, North 07 degrees 11  
28 minutes 44 seconds West a distance of 36.57 feet to a point on the east-  
29 erly line of Block 2 Lot 1;

30 6. Thence along the northerly line of Block 2 Lot 1, North 15 degrees  
31 30 minutes 29 seconds West a distance of 555.84 feet to a point on said  
32 southerly line of South Street; and

33 7. Thence along said southerly line of South Street, North 73 degrees  
34 09 minutes 21 seconds East a distance of 311.61 feet to the point of  
35 BEGINNING.

36 EXCEPTING THEREFROM the slips, and those certain portions of the  
37 ground floor as delineated on the diagrams annexed to the Sublease (i)  
38 with the cross-hatching on the schematic drawing of the ground floor  
39 depicted on page 1 of Annex 1 and (ii) with black shading or cross-  
40 hatching on the schematic drawing of Annex 2.

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

43 8. (a) A club or a luncheon club licensed to sell alcoholic beverages  
44 for on-premises consumption shall be permitted to sell such beverages  
45 only to its members and to their guests accompanying them.

46 (b) The following premises, if licensed to sell alcoholic beverages  
47 for on-premises consumption, shall be permitted to sell such beverages  
48 only to its members and to their guests accompanying them while operat-  
49 ing as a private membership establishment, bounded and described as  
50 follows:

51 ALL that certain plot, piece or parcel of land, situate, lying and  
52 being in the Borough of Manhattan, City, County, and State of New York,  
53 bounded and described as follows:

54 BEGINNING at the intersection of the southerly line of South Street,  
55 135 feet wide, and the westerly line of Block 2 Lot 3;

56 THENCE RUNNING the following seven (7) courses and distances:

1 1. Along said westerly line of Block 2 Lot 3, South 16 degrees 50  
2 minutes 39 seconds East a distance of 145.39 feet to a point;

3 2. Thence still along said westerly line of Block 2 Lot 3, North 73  
4 degrees 09 minutes 21 seconds East a distance of 28.67 feet to a point;

5 3. Thence still along said westerly line of Block 2 Lot 3, South 16  
6 degrees 50 minutes 39 seconds East a distance of 419.26 feet to a point  
7 on the U.S. Pierhead Line approved by Secretary of War, February 25,  
8 1918;

9 4. Thence along said U.S. Pierhead Line, South 73 degrees 09 minutes  
10 21 seconds West a distance of 317.76 feet to a point;

11 5. Thence still along said U.S. Pierhead Line, North 07 degrees 11  
12 minutes 44 seconds West a distance of 36.57 feet to a point on the east-  
13 erly line of Block 2 Lot 1;

14 6. Thence along the northerly line of Block 2 Lot 1, North 15 degrees  
15 30 minutes 29 seconds West a distance of 555.84 feet to a point on said  
16 southerly line of South Street; and

17 7. Thence along said southerly line of South Street, North 73 degrees  
18 09 minutes 21 seconds East a distance of 311.61 feet to the point of  
19 BEGINNING.

20 EXCEPTING THEREFROM the slips, and those certain portions of the  
21 ground floor as delineated on the diagrams annexed to the Sublease (i)  
22 with the cross-hatching on the schematic drawing of the ground floor  
23 depicted on page 1 of Annex 1 and (ii) with black shading or cross-  
24 hatching on the schematic drawing of Annex 2.

25 § 4. This act shall take effect immediately.