STATE OF NEW YORK

10068

IN SENATE

April 27, 2026

Introduced by Sen. SCARCELLA-SPANTON -- 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 licensing restrictions for manufacturers and wholesalers of alcoholic beverages from on licensees who sell at retail for consumption on the premises; and providing for the repeal of such provision upon expiration thereof

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

Section 1. Paragraph (a) of subdivision 13 of section 106 of the alcoholic beverage control law is amended by adding a new subparagraph (xxiv) to read as follows:

(xxiv) Parcel A

The fourth floor of all that certain lot, piece or parcel of land, together with the buildings and improvements now or hereafter erected thereon, situate, lying and being in the Borough of Manhattan, City, County and State of New York, bounded and described as follows:

Beginning at a point on the southerly side of East 57th Street, distant 125 feet easterly from the intersection of the easterly side of Fifth Avenue and the southerly side of 57th Street, thence southerly and parallel with the easterly side of Fifth Avenue 100 feet 5 inches; thence easterly and parallel with the southerly side of 57th Street 50 feet; thence northerly and again parallel with the easterly side of Fifth Avenue 100 feet 5 inches to the southerly side of 57th Street; thence westerly along the southerly side of 57th Street 50 feet to the point or place of beginning.

Parcel B

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

Beginning at a point on the easterly line of Fifth Avenue, distant 118 feet 9 1/2 inches southerly from the intersection of the said easterly line of Fifth avenue with the southerly line of East 58th Street and

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

LBD13301-01-5

opposite the center of a certain party wall; running thence easterly and part of the way along the center of said party wall and a line in prolongation thereof 100.00 feet to a point distant 118 feet 11 1/2 inches southerly from the southerly line of East 58th Street, measured on a line parallel with Fifth Avenue and distant 100.00 feet from the easterly line thereof, measured along the southerly line of East 58th Street; thence southerly, parallel with Fifth Avenue, 19 feet 6 1/2 inches to a point opposite the center of another party wall and distant 62 feet 4 inches northerly from the northerly line of East 57th Street, measured at right angles thereto; thence westerly and part of the way along the center line of said last mentioned party wall 100.00 feet to a point on the easterly side of Fifth Avenue, distant 62 feet 6 inches northerly from the intersection of the easterly line of Fifth Avenue and the northerly line of East 57th street; thence northerly along the easterly line of Fifth Avenue, 19 feet 6 1/2 inches to the point or place of beginning.

Provided, however, that with respect to such retail licensee's interest in a business engaged in the manufacture or sale at wholesale of alcoholic beverages described in subdivision one-a of section one hundred one of this article: (i) such interest must have been acquired prior to the effective date of this subdivision; (ii) such retail licensee may not purchase alcoholic beverages directly from any such manufacturer or wholesaler; and (iii) no more than fifteen percent of the annual dollar value of alcoholic beverages purchased by such retail licensee for sale on the premises may be produced by any such manufacturer.

§ 2. This act shall take effect immediately; provided, however, that upon the sale or transfer of the parcels detailed in subparagraph (xxiv) of paragraph (a) of subdivision 13 of section 106 of the alcoholic beverage control law, as added by section one of this act, such subparagraph 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, the subparagraph 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 parcels detailed in subparagraph (xxiv) of paragraph (a) 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.