

# STATE OF NEW YORK

10547

## IN ASSEMBLY

March 13, 2026

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

AN ACT to amend the general business law, in relation to certain requirements for new tobacco business locations

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

1 Section 1. The general business law is amended by adding a new section  
2 396-aaaa to read as follows:

3 § 396-aaaa. New tobacco business locations. 1. For purposes of this  
4 section, the following terms shall have the following meanings:

5 (a) "Retail dealer" means a person licensed by the commissioner of  
6 taxation and finance to sell cigarettes, tobacco products, tobacco  
7 accessories or vapor products in the state of New York.

8 (b) "Tobacco business" shall have the same meaning as such term is  
9 defined in subdivision eight of section thirteen hundred ninety-nine-aa  
10 of the public health law.

11 (c) "Tobacco products" means one or more cigarettes or cigars, bidis,  
12 chewing tobacco, powdered tobacco, nicotine water or any other tobacco  
13 products.

14 (d) "Tobacco accessories" means products, equipment or paraphernalia  
15 including, but not limited to, pipes, water pipes, herb grinders, vapor-  
16 izers, hookahs, bongs, rolling papers or any other device, equipment or  
17 apparatus designed for the inhalation of tobacco and/or nicotine.

18 (e) "Vapor product" means any vapor product, as defined by section  
19 thirteen hundred ninety-nine-aa of the public health law, intended or  
20 reasonably expected to be used with or for the consumption of nicotine.

21 2. (a) No retail dealer shall open a tobacco business in a city, town  
22 or village having a population of twenty thousand or more within five  
23 hundred feet of any existing licensed tobacco business.

24 (b) The measurement in paragraph (a) of this subdivision shall be  
25 taken in a straight line from the center of the nearest entrance of the  
26 premises sought to be established to the center of the nearest entrance  
27 of such existing premises licensed and operating as a tobacco business.

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

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1 3. Notwithstanding the provisions of paragraph (a) of subdivision two  
2 of this section, a retail dealer shall be permitted to open a new tobac-  
3 co business which shall be within five hundred feet of an existing  
4 licensed tobacco business if, after consultation with the local munici-  
5 pality or community board, such municipality or community board deter-  
6 mines that permitting such new tobacco business to locate within five  
7 hundred feet of an existing licensed tobacco business would be in the  
8 public interest. The municipality or community board may conduct a hear-  
9 ing or public meeting in connection with any request to locate a tobacco  
10 business within five hundred feet of an existing licensed tobacco busi-  
11 ness and shall provide notice to the retail dealer at least fifteen days  
12 in advance of any scheduled hearing or public meeting.

13 § 2. This act shall take effect immediately.