STATE OF NEW YORK

10481

IN SENATE

May 15, 2026

Introduced by Sen. SCARCELLA-SPANTON -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the alcoholic beverage control law, in relation to preventative safety tools

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

Section 1. The alcoholic beverage control law is amended by adding a new section 65-f to read as follows:

§ 65-f. Preventative safety tools; posting thereof. 1. For the purposes of this section, the following terms shall have the following meanings:

(a) "Preventative safety tools" means straws and other devices, including but not limited to drink covers.

(b) "Controlled substances" includes, but is not limited to, flunitrazepam, ketamine, and gamma hydroxybutyric acid, also known by other names, including GHB, gamma hydroxybutyrate, 4-hydroxybutyrate, 4-hydroxybutanoic acid, sodium oxybate, and sodium oxybutyrate.

2. An applicant for a license issued pursuant to this article or the holder of an existing license shall offer to their customers preventative safety tools, while expressly allowing licensees the option to sell them, provide them free of charge, or distribute them through third-party or sponsored programs.

3. A licensee subject to subdivision two of this section shall post the following notice in a prominent and conspicuous location:

"Safety First, Never Leave Your Drink Unattended! Drink lids available here. Ask a staff member for details."

4. This section shall not prevent a licensee from offering preventative safety tools to their customers free of charge.

5. A licensee shall not be held liable for defective preventative safety tools.

6. A licensee shall ensure that all preventative safety tools offered to customers have not exceeded the expiration date or recommended period

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

LBD13795-03-6

of use, according to the product label, product packaging, or otherwise recommended by the manufacturer.

7. A violation of this section is not a crime.

8. The authority shall post on its internet website a link to a page that contains information about the requirements of this section, including, but not limited to, the signage that is required to be posted and the types of preventative safety tools that are required to be available on a licensed premises.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.