

# STATE OF NEW YORK

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4575

2025-2026 Regular Sessions

## IN SENATE

February 7, 2025

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Introduced by Sens. SKOUFIS, JACKSON, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend chapter 118 of the laws of 2012 amending the alcoholic beverage control law relating to the powers of the chairman and members of the authority, in relation to the effectiveness of certain provisions thereof (Part A); to amend the alcoholic beverage control law, in relation to authorizing special permits to remain open during certain hours of the morning (Part B); to amend the alcoholic beverage control law, in relation to permitting certain retail licensees to purchase wine and liquor from certain other retail licensees (Part C); to amend the alcoholic beverage control law, in relation to permissible sales by license holders (Part D); to amend the alcoholic beverage control law, in relation to allowing multiple off-premises licenses (Part E); to amend the alcoholic beverage control law, in relation to licensing restrictions for manufacturers and wholesalers of alcoholic beverages and retail licensees (Part F); to amend the alcoholic beverage control law, in relation to the approval of seven day licenses to sell liquor at retail for consumption off the premises (Part G); to amend the alcoholic beverage control law, in relation to adjusting licensing fees regarding certain alcoholic beverages (Part H); to amend the alcoholic beverage control law, in relation to changes of ownership of a licensed business (Part I); to amend the alcoholic beverage control law, in relation to the issuance of temporary retail permits; and to amend chapter 396 of the laws of 2010 amending the alcoholic beverage control law relating to liquidator's permits and temporary retail permits, in relation to the effectiveness thereof (Part J); to amend the alcoholic beverage control law, in relation to establishing a temporary wholesale permit and allowing multiple wholesale licenses owned by the same person or entity to be located at the same premises (Part K); to amend the alcoholic beverage control law, in relation to licenses issued for on-premises consumption within certain distances of a building occupied as a school, church, synagogue or other place

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

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of worship with consent of such building's owner or administrator (Part L); and to amend the alcoholic beverage control law, in relation to permitting licenses for premises located within five hundred feet of other premises outside of certain counties (Part M)

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

1 Section 1. This act enacts into law major components of legislation  
2 necessary to implement certain provisions regarding licensing and sales  
3 under the alcoholic beverage control law. Each component is wholly  
4 contained within a Part identified as Parts A through M. The effective  
5 date for each particular provision contained within such Part is set  
6 forth in the last section of such Part. Any provision in any section  
7 contained within a Part, including the effective date of the Part, which  
8 makes a reference to a section "of this act", when used in connection  
9 with that particular component, shall be deemed to mean and refer to the  
10 corresponding section of the Part in which it is found. Section three of  
11 this act sets forth the general effective date of this act.

12 PART A

13 Section 1. Section 4 of chapter 118 of the laws of 2012 amending the  
14 alcoholic beverage control law relating to the powers of the chairman  
15 and members of the authority, as amended by section 1 of part J of chap-  
16 ter 55 of the laws of 2024, is amended to read as follows:

17 § 4. This act shall take effect immediately [~~and shall expire and be~~  
18 ~~deemed repealed fifteen years after such date~~].

19 § 2. This act shall take effect immediately.

20 PART B

21 Section 1. Subdivision 1 of section 99 of the alcoholic beverage  
22 control law, as amended by section 22 of part Z of chapter 85 of the  
23 laws of 2002, is amended to read as follows:

24 1. Any person licensed to sell alcoholic beverages for consumption on  
25 the premises pursuant to this chapter may apply to the liquor authority  
26 for a special permit [~~to remain open on any week day between the hours~~  
27 ~~of four o'clock a.m. or the closing hour prescribed by a rule adopted in~~  
28 ~~a county on or before April first, nineteen hundred ninety-five or~~  
29 ~~pursuant to subdivision eleven of section seventeen of this chapter, and~~  
30 ~~eight o'clock a.m.~~]. A permit issued under this section shall authorize  
31 the holder of a retail on-premises license to sell or serve alcoholic  
32 beverages for consumption on the premises on the morning of January  
33 first between four o'clock a.m. or such other hour that the sale of  
34 alcoholic beverages for on-premises consumption must cease in the commu-  
35 nity in which the licensed premises is located, and eight o'clock a.m.  
36 The fee for such permit shall be fifty-one dollars per day.

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

42 PART C

1 Section 1. Section 106 of the alcoholic beverage control law is  
2 amended by adding a new subdivision 2-b to read as follows:

3 2-b. Notwithstanding any provision of this chapter to the contrary, a  
4 retail licensee for on-premises consumption shall be authorized to  
5 purchase up to twelve bottles of wine and liquor per week from an off-  
6 premises retail licensee, and may resell any wine and liquor so  
7 purchased for consumption on the premises licensed therefor.

8 § 2. Section 105 of the alcoholic beverage control law is amended by  
9 adding a new subdivision 2 to read as follows:

10 2. Notwithstanding any provision of this chapter to the contrary, a  
11 retail licensee to sell liquor and/or wine for consumption off the prem-  
12 ises shall be authorized to sell up to twelve bottles of wine and liquor  
13 per week to a retail licensee for on-premises consumption.

14 § 3. This act shall take effect immediately.

15 PART D

16 Section 1. Subdivision 4 of section 63 of the alcoholic beverage  
17 control law, as amended by chapter 24 of the laws of 2024, is amended to  
18 read as follows:

19 4. No licensee under this section shall be engaged in any other busi-  
20 ness on the licensed premises. The sale of any of the following shall  
21 not constitute engaging in another business within the meaning of this  
22 subdivision:

23 (a) lottery tickets, when duly authorized and lawfully conducted[~~, the~~  
24 sale of];

25 (b) reusable bags as defined in section 27-2801 of the environmental  
26 conservation law[~~, the sale of];~~

27 (c) corkscrews [~~or the sale of];~~

28 (d) ice [~~or the sale of];~~

29 (e) publications, including prerecorded video and/or audio cassette  
30 tapes, or educational seminars, designed to help educate consumers in  
31 their knowledge and appreciation of alcoholic beverages, as defined in  
32 section three of this chapter and allowed pursuant to their license[~~, or~~  
33 the sale of];

34 (f) non-carbonated, non-flavored mineral waters, spring waters and  
35 drinking waters [~~or the sale of];~~

36 (g) glasses designed for the consumption of wine or liquor, racks  
37 designed for the storage of wine, and devices designed to minimize  
38 oxidation in bottles of wine which have been uncorked[~~, or the sale of];~~

39 (h) gift bags, gift boxes, associated gift or promotional items, or  
40 wrapping, for alcoholic beverages purchased at the licensed premises  
41 [~~shall not constitute engaging in another business within the meaning of~~  
42 this subdivision];

43 (i) tonic water;

44 (j) bitters;

45 (k) maraschino cherries; and

46 (l) dealcoholized wine.

47 Any fee obtained from the sale of an educational seminar shall not be  
48 considered as a fee for any tasting that may be offered during an educa-  
49 tional seminar, provided that such tastings are available to persons who  
50 have not paid to attend the seminar and all tastings are conducted in  
51 accordance with section sixty-three-a of this article. For the purposes  
52 of this section, gift or promotional items shall only include those  
53 items that are complimentary and directly associated with the sale of  
54 wine or liquor they are promoting and shall mean: (i) items that are de

1 minimis in value, but in no instance shall merchandise be valued at more  
2 than fifteen dollars in total; (ii) items that are imprinted with the  
3 wine or liquor brand logo on the gift or promotional item; and (iii)  
4 items that are included as part of a manufactured pre-sealed package  
5 with the wine or liquor that is being gifted or promoted. Further, for  
6 the purposes of this section, promotional items shall not include any  
7 food, non-alcoholic beverage, or other drink or food mix, nor shall  
8 these items be offered for sale to the general public as individual  
9 items.

10 § 2. Paragraph (a) of subdivision 1 of section 104 of the alcoholic  
11 beverage control law, as amended by chapter 24 of the laws of 2024, is  
12 amended to read as follows:

13 (a) No wholesaler shall be engaged in any other business on the prem-  
14 ises to be licensed; except that nothing contained in this chapter  
15 shall: (1) prohibit a beer wholesaler from (i) acquiring, storing or  
16 selling non-alcoholic snack foods, as defined in paragraph (b) of this  
17 subdivision, (ii) manufacturing, bottling, storing, or selling non-alco-  
18 holic carbonated beverages, (iii) manufacturing, storing or selling  
19 non-alcoholic non-carbonated soft drinks, mineral waters, spring waters,  
20 drinking water, non-taxable malt or cereal beverages, juice drinks,  
21 fruit or vegetable juices, ice, liquid beverage mixes and dry or frozen  
22 beverage mixes, (iv) acquiring, storing or selling wine products, (v)  
23 the sale of promotional items on such premises, or (vi) the sale of  
24 tobacco products at retail by wholesalers who are licensed to sell beer  
25 and other products at retail; (2) prohibit a wholesaler authorized to  
26 sell wine from manufacturing, acquiring or selling wine merchandise, as  
27 defined in paragraph (d) of this subdivision; (3) prohibit a licensed  
28 winery or licensed farm winery from engaging in the business of a wine  
29 wholesaler for New York state labeled wines produced by any licensed  
30 winery or licensed farm winery or prohibit such wine wholesaler from  
31 exercising any of its rights pursuant to sections seventy-six and seven-  
32 ty-six-a of this chapter provided that the operation of such beer and  
33 wine wholesalers business shall be subject to such rules and regulations  
34 as the liquor authority may prescribe; (4) prohibit a beer wholesaler  
35 who is authorized to sell beer at retail from selling at retail: (i)  
36 candy, chewing gum and cough drops; (ii) non-refrigerated salsa; (iii)  
37 cigarette lighters, lighter fluid, matches and ashtrays; (iv) barbecue  
38 and picnic-related products and supplies, which shall include, but not  
39 be limited to, charcoal, grills, propane gas, plastic and paper cups,  
40 paper or plastic tablecloths and coolers; (v) beer making and brewing  
41 supplies and publications, which shall include, but not be limited to,  
42 books, magazines, equipment and ingredients; (vi) steins, mugs and other  
43 glassware appropriate for the consumption of beer, malt beverages and  
44 wine products; (vii) items typically used to serve beer and malt bever-  
45 ages including, but not limited to, taps, kegerators, koozies and beer  
46 socks; (viii) lemons, limes and oranges, provided that no more than two  
47 dozen of each shall be displayed at any one time; (ix) rock salt, ice  
48 and snow melting compounds, snow shovels; windshield washer solvent;  
49 firewood; beach umbrellas; sunglasses and sun block; and (x) prepaid  
50 telephone cards; (5) prohibit the installation and operation of a single  
51 automated teller machine in the premises of a beer wholesaler who is  
52 authorized to sell beer at retail; ~~(6)~~ (6) prohibit a liquor or a wine  
53 wholesaler from transporting or selling gifts or promotional items asso-  
54 ciated with wine or liquor products as provided for in subdivision four  
55 of section sixty-three of this chapter; or (7) prohibit a liquor whole-  
56 saler from transporting or selling tonic water, bitters, maraschino

1 cherries or dealcoholized wine. For the purposes of this subdivision,  
2 "automated teller machine" means a device which is linked to the  
3 accounts and records of a banking institution and which enables consum-  
4 ers to carry out banking transactions, including but not limited to,  
5 account transfers, deposits, cash withdrawals, balance inquiries and  
6 loan payments.

7 § 3. This act shall take effect immediately.

8 PART E

9 Section 1. Subdivision 5 of section 63 of the alcoholic beverage  
10 control law is amended to read as follows:

11 5. Not more than [~~one license~~] two licenses shall be granted to any  
12 person under this section.

13 § 2. This act shall take effect immediately.

14 PART F

15 Section 1. The opening paragraph of paragraph (a) of subdivision 1 of  
16 section 101 of the alcoholic beverage control law, as amended by chapter  
17 318 of the laws of 2016, is amended to read as follows:

18 Be interested directly or indirectly in any premises licensed under  
19 this chapter where any alcoholic beverage is sold at retail; or in any  
20 business licensed under this chapter devoted wholly or partially to the  
21 sale of any alcoholic beverage at retail by stock ownership, interlock-  
22 ing directors, mortgage or lien or any personal or real property, or by  
23 any other means. The provisions of this paragraph shall not apply to

24 § 2. The opening paragraph of paragraph (a) of subdivision 13 of  
25 section 106 of the alcoholic beverage control law, as amended by chapter  
26 453 of the laws of 2018, is amended to read as follows:

27 No retail licensee for on-premises consumption shall be interested,  
28 directly or indirectly, in any premises licensed under this chapter  
29 where liquors, wines or beer are manufactured or sold at wholesale, by  
30 stock ownership, interlocking directors, mortgage or lien on any  
31 personal or real property or by any other means, except that liquors,  
32 wines or beer may be manufactured or sold wholesale by the person  
33 licensed as a manufacturer or wholesaler thereof:

34 § 3. This act shall take effect immediately.

35 PART G

36 Section 1. Subdivision 6 of section 63 of the alcoholic beverage  
37 control law, as added by chapter 1024 of the laws of 1965, is amended to  
38 read as follows:

39 6. Determinations under this section with respect to approving the  
40 issuance of a new license or under section one hundred eleven of this  
41 chapter with respect to the transfer to any other premises of a license  
42 issued hereunder, shall be made [~~in accordance with public convenience~~  
43 ~~and advantage~~] unless there is good cause shown for disapproval by the  
44 liquor authority.

45 § 2. Subdivision 4 of section 79 of the alcoholic beverage control  
46 law, as added by chapter 1024 of the laws of 1965, is amended to read as  
47 follows:

48 4. Determinations under this section with respect to approving the  
49 issuance of a new license or under section one hundred eleven of this  
50 chapter with respect to the transfer to any other premises of a license

1 issued hereunder shall be made [~~in accordance with public convenience~~  
2 ~~and advantage~~] unless there is good cause shown for disapproval by the  
3 liquor authority.  
4 § 3. This act shall take effect immediately.

## 5 PART H

6 Section 1. Subdivisions 3 and 4 of section 93 of the alcoholic bever-  
7 age control law, subdivision 3 as amended by section 12 of part Z of  
8 chapter 85 of the laws of 2002 and subdivision 4 as amended by chapter  
9 297 of the laws of 2016, are amended to read as follows:

10 3. The license fee for such permit shall be [~~twenty-six~~] twenty-five  
11 dollars per year, or for any part thereof, and the permit shall be  
12 issued for the calendar year.

13 4. Notwithstanding the foregoing provisions of this section, any duly  
14 licensed manufacturer or wholesaler may apply to the liquor authority  
15 for an annual temporary solicitor's employment permit. Such permit shall  
16 authorize such manufacturer or wholesaler to employ one or more persons  
17 as a solicitor for a period of not exceeding six months provided that  
18 within sixty days after such employee has been employed as a solicitor  
19 such employee shall file [~~his~~] their application for a solicitor's  
20 permit with the liquor authority. The license fee for such permit shall  
21 be [~~thirty-eight~~] thirty-five dollars per year, or for any part thereof,  
22 and the permit shall be issued for the calendar year. Such permit and  
23 the exercise of the privileges hereby granted thereunder, shall be  
24 subject to such terms and conditions as may be prescribed by the liquor  
25 authority.

26 § 2. Subdivision 2 of section 94 of the alcoholic beverage control  
27 law, as amended by section 14 of part Z of chapter 85 of the laws of  
28 2002, is amended to read as follows:

29 2. Such permit shall be issued for the calendar year, and may cover  
30 one or more trucks and in cities having a population of one million or  
31 less to duly licensed taxicabs used to deliver only wine or liquor sold  
32 at retail and the fee therefor shall be at the rate of [~~fifty-one~~] fifty  
33 dollars per truck or such duly licensed taxicab per year.

34 § 3. Section 97 of the alcoholic beverage control law, as amended by  
35 chapter 204 of the laws of 1963, the section heading as amended by chap-  
36 ter 363 of the laws of 1977, subdivision 1 as amended by section 3 of  
37 part H of chapter 55 of the laws of 2024, subdivision 2 as amended by  
38 section 19 of part Z of chapter 85 of the laws of 2002, subdivision 4 as  
39 added by chapter 120 of the laws of 2012, and subdivision 5 as added by  
40 chapter 160 of the laws of 2024, is amended to read as follows:

41 § 97. Temporary beer and wine permit. 1. The liquor authority is  
42 hereby authorized to issue temporary permits effective for a period not  
43 to exceed twenty-four consecutive hours to authorize the sale of beer,  
44 wine, cider, mead and/or braggot, and liquor at outdoor or indoor gath-  
45 erings, functions, occasions or events, within the hours fixed by or  
46 pursuant to subdivision five of section one hundred six of this chapter,  
47 during which alcoholic beverages may lawfully be sold or served upon  
48 premises licensed to sell alcoholic beverages at retail for on-premises  
49 consumption in the community in which is located the premises in which  
50 such gathering, function, occasion or event is held. The fee for such  
51 permit shall be [~~twenty-six~~] twenty-five dollars. Such permit and the  
52 exercise of the privilege granted thereby shall be subject to such rules  
53 of the liquor authority as it deems necessary.

1 2. The liquor authority is hereby authorized to issue an annual permit  
2 to brewers and beer wholesalers authorizing such licensees to sell beer  
3 for consumption at outdoor or indoor gatherings, functions, occasions or  
4 events, provided that such gatherings are not open to admission to the  
5 general public nor is admission thereto made contingent upon the payment  
6 of an admission fee, donation or contribution, and further provided that  
7 such beer is not resold at such gatherings. Every brewer or beer whole-  
8 saler to whom a permit shall be issued hereunder shall require every  
9 person to whom beer shall be sold for use at such gatherings to make,  
10 execute and file with such brewer or beer wholesaler, upon a form to be  
11 prescribed by the liquor authority, a statement, that the beer purchased  
12 by such person will not be sold or offered for sale by such person. Such  
13 statement shall be accepted for all purposes as the equivalent of an  
14 affidavit, and if false, shall subject the person making and executing  
15 the same to the same penalties as if [~~he had~~] they have been duly sworn.  
16 Such permit shall be issued in the form prescribed by the liquor author-  
17 ity and shall run concurrently with the annual term of the brewer's  
18 license or of the wholesale beer license, and the fee for such permit  
19 shall be [~~sixty-four~~] sixty dollars. Such a permit and the exercise of  
20 the privileges granted thereunder shall be subject to such rules by the  
21 liquor authority as it deems necessary. The provisions hereof shall not  
22 apply to the sale of beer for consumption in the home.

23 [~~4-~~] 3. The liquor authority is hereby authorized to issue a temporary  
24 permit effective for a period not to exceed twenty-four consecutive  
25 hours to any holder of a license to manufacture wine in this or any  
26 other state, to sell wine at outdoor or indoor gatherings, functions,  
27 occasions, or events, provided that such manufacturer produces not more  
28 than one hundred fifty thousand gallons of wine annually. The fee for  
29 such permit shall be [~~twenty-six~~] twenty-five dollars.

30 [~~5-~~] 4. The authority is authorized to allow a brewer, once per annum,  
31 and after the property owner obtains a permit under this section, to  
32 sell or offer at no cost beer, beginning at eight antemeridian and  
33 ending at the hours fixed by or pursuant to subdivision five of section  
34 one hundred six of this chapter, at the following two locations in the  
35 city of Utica, county of Oneida, and bounded and described as follows:

36 PARCEL I

37 Beginning at the northwest corner of the beer storage building at the  
38 corner of Edward Street and Wasmer Street and proceeding northerly for a  
39 distance of 76 feet 1 inch; thence 128 feet 5 inches easterly along  
40 Wasmer Street; thence continuing along said Wasmer Street northeasterly  
41 for a distance of 202 feet 10 inches to the corner of Wasmer Street and  
42 Hamilton Street.

43 Thence northerly along Hamilton Street for a distance of 46 feet 8 inch-  
44 es to the intersection of Columbia Street. Thence northwesterly along  
45 Columbia Street for a distance of 233 feet 6 inches. Thence southwester-  
46 ly for a distance of 77 feet 7 inches to a fence. Thence northwesterly  
47 for a distance of 62 feet and thence southwesterly a distance of 10 feet  
48 6 inches to the southeastern corner of the brewery garage.

49 Thence, following the garage's perimeter: first in a southwesterly  
50 direction for a distance of 133 feet 2 inches to the southwest corner of  
51 the garage; thence in a northwesterly direction for a distance of 22  
52 feet 5 inches; and thence in a northeasterly direction for a distance of  
53 11 feet 2 inches, then in a northwesterly direction for a distance of  
54 100 feet, to a fence just before the sidewalk on Schuyler Street; thence  
55 southwesterly for a distance of 234 feet 5 inches to the Brewery main  
56 complex.

1 Thence following the perimeter of the brewery complex buildings south-  
2 east for a distance of 82 feet 8 inches, northeasterly for a distance of  
3 81 feet 11 inches; thence southeasterly for a distance of 85 feet 3  
4 inches; thence northeasterly for a distance of 21 feet 6 inches; and  
5 thence southeasterly for a distance of 96 feet 8 inches to the north-  
6 western corner of the shipping office.

7 From the northwestern corner of the shipping office, southeasterly for a  
8 distance of 33 feet 9 inches; thence southwesterly for a distance of 37  
9 feet 8 inches; thence southeasterly for a distance of 65 feet 8 inches;  
10 thence southerly for a distance of 27 feet 4 inches; thence easterly for  
11 a distance of 33 feet, to the point or place of beginning.

12 PARCEL II

13 Beginning at the iron fence which is 26 feet northwest of the southwest  
14 corner of the tour center on Court Street; thence 66 feet, 7 inches  
15 northeast, 11 feet 7 inches northwest to the west corner of the tour  
16 center parking lot stairs. Proceeding northeasterly 71 feet 10 inches,  
17 thence northwesterly 19 feet 10 inches to the southeastern corner of the  
18 boiler room building. Thence northwesterly 161 feet; south by southwest  
19 80 feet; southwest 58 feet 5 inches and finally southeast 155 feet to  
20 the point or place of beginning.

21 § 4. Paragraph (b) of subdivision 2 and subdivision 4 of section 97-a  
22 of the alcoholic beverage control law, paragraph (b) of subdivision 2 as  
23 added by chapter 396 of the laws of 2010 and subdivision 4 as amended by  
24 chapter 431 of the law of 2024, are amended to read as follows:

25 (b) the applicant shall have filed with the authority an application  
26 for a temporary retail permit, accompanied by a nonrefundable filing fee  
27 of one hundred [~~twenty-eight~~ twenty-five] dollars for all retail beer  
28 licenses or six hundred forty dollars for all other retail licenses;

29 4. A temporary retail permit issued by the authority pursuant to this  
30 section shall be for a period not to exceed one hundred eighty days. A  
31 temporary permit may be extended at the discretion of the authority, for  
32 an additional thirty day period upon payment of an additional fee of  
33 [~~sixty-four~~ sixty] dollars for all retail beer licenses and [~~ninety-six~~  
34 ninety-five] dollars for all other temporary permits and upon compliance  
35 with all conditions required in this section. The authority may, in its  
36 discretion, issue additional thirty day extensions upon payment of the  
37 appropriate fee.

38 § 5. Subdivisions 2 and 3 of section 99-d of the alcoholic beverage  
39 control law, subdivision 2 as amended by chapter 560 of the laws of 2011  
40 and subdivision 3 as amended by section 24 of part Z of chapter 85 of  
41 the laws of 2002, are amended to read as follows:

42 2. Before any change in the members of a limited liability company or  
43 the transfer or assignment of a membership interest in a limited liabil-  
44 ity company or any corporate change in stockholders, stockholdings,  
45 alcoholic beverage officers, officers or directors, except officers and  
46 directors of a premises licensed as a club or a luncheon club under this  
47 chapter can be effectuated for the purposes of this chapter, there shall  
48 be filed with the liquor authority an application for permission to make  
49 such change and there shall be paid to the liquor authority in advance  
50 upon filing of the application a fee of one hundred [~~twenty-eight~~ twen-  
51 ty-five] dollars.

52 (a) The provisions of this section shall not be applicable where there  
53 are ten or more stockholders and such change involves less than ten per  
54 centum of the stock of the corporation and the stock holdings of any  
55 stockholder are not increased thereby to ten per centum or more of the  
56 stock.

1 (b) Where the same corporation operates two or more premises separate-  
2 ly licensed under this chapter a separate corporate change shall be  
3 filed for each such licensed premises, except as otherwise provided for  
4 by rule of the liquor authority. The corporate change fee provided for  
5 herein shall not be applicable to more than one license held by the same  
6 corporation.

7 (c) Notwithstanding any corporate change approved by the authority, a  
8 licensed corporation or limited liability company shall be bound by the  
9 representations set forth in the original application and any amendments  
10 thereto approved by the authority.

11 3. Before any removal of a license to any premises other than the  
12 licensed premises or to any other part of the building containing the  
13 licensed premises, the licensee shall make an application to the liquor  
14 authority for permission to effect such removal and shall pay to the  
15 liquor authority in advance upon filing of the application a fee of one  
16 hundred [~~ninety-two~~] ninety dollars where the base license fee is five  
17 hundred dollars or more and [~~thirty-two~~] thirty dollars in all other  
18 instances.

19 § 6. Paragraphs (a) and (b) of subdivision 4 of section 100 of the  
20 alcoholic beverage control law, as amended by chapter 423 of the laws of  
21 2016, are amended to read as follows:

22 (a) if the licensed premises is a legitimate theatre or concert hall,  
23 or contiguous to and used in conjunction with a legitimate theatre or  
24 concert hall, additional bars, counters or contrivances may be permitted  
25 by the liquor authority upon payment to it of an annual fee of one  
26 hundred dollars for each such additional bar, counter or contrivance so  
27 permitted[7] in addition to the annual license fee paid by such licen-  
28 see;

29 (b) if such licensed premises be located at a baseball park, race  
30 track, or either outdoor or indoor athletic field, facility, arena or  
31 stadium, additional bars, counters or contrivances where beer shall be  
32 sold at retail for consumption on the premises may be permitted by the  
33 liquor authority, upon payment to it of the annual fee of thirty dollars  
34 for each such additional bar, counter or contrivance so permitted[7] in  
35 addition to the amount of the annual license fee paid by the licensee;  
36 and

37 § 7. Section 56 of the alcoholic beverage control law, as amended by  
38 section 1 of part Z of chapter 85 of the laws of 2002, subdivision 1 as  
39 amended by chapter 108 of the laws of 2012, paragraph (a) of subdivision  
40 1 as amended by chapter 431 of the laws of 2014, and subdivision 11 as  
41 added by chapter 422 of the laws of 2016, is amended to read as follows:

42 § 56. License fees. 1. The annual fee for a license to manufacture  
43 beer shall be:

44 (a) four thousand dollars for a brewer's license, unless the annual  
45 production of the brewer is less than seventy-five thousand barrels per  
46 year, in which case the annual fee shall be three hundred twenty  
47 dollars;

48 (b) three hundred twenty dollars for a farm brewery license.

49 2. The annual fee for a wholesaler's beer license shall be eight  
50 hundred dollars.

51 3. The annual fee for a vendor's license shall be one hundred [~~forty-~~  
52 ~~four~~] forty dollars.

53 4. The annual fee for a license to sell beer at retail not to be  
54 consumed on the premises where sold shall be one hundred ten dollars.  
55 Where, however, the applicant is the holder of two such licenses, the

1 annual fee for each additional license thereafter issued to such licen-  
2 see shall be double the amount hereinabove set forth.

3 5. The annual fee for a license to sell beer at retail to be consumed  
4 on the premises where sold shall be three hundred twenty dollars in  
5 cities having a population of one hundred thousand or over, and one  
6 hundred sixty dollars elsewhere; provided, however, that where the prem-  
7 ises to be licensed remain open only within the period commencing April  
8 first and ending October thirty-first of any one year or only within the  
9 period commencing October first and ending the following April thirti-  
10 eth, the liquor authority, in its discretion, may grant a summer or  
11 winter license effective only for such appropriate period of time, for  
12 which an annual fee of one hundred sixty dollars shall be paid where the  
13 premises are located in cities having a population of one hundred thou-  
14 sand or over, and eighty dollars where such premises are located else-  
15 where.

16 6. The annual fee for selling beer upon any railroad car to be  
17 consumed on such car or any car connected therewith shall be [~~ninety-~~  
18 ~~six~~] ninety dollars for each railroad car licensed.

19 7. The annual fee for selling beer upon any vessel in this state,  
20 other than one regularly and exclusively engaged in the business of  
21 carrying passengers for hire, by charter or otherwise, for fishing  
22 purposes, to be consumed on such vessel, shall be one hundred sixty  
23 dollars for each vessel licensed. The annual fee for selling beer upon a  
24 vessel regularly and exclusively engaged in the business of carrying  
25 passengers for hire, by charter or otherwise, for fishing purposes, to  
26 be consumed on such vessel, shall be forty dollars for each vessel  
27 licensed. The annual fee for selling beer for off-premise consumption  
28 upon a vessel regularly and exclusively engaged, as a duly licensed  
29 supply ship, in furnishing supplies to other vessels, shall be eighty  
30 dollars.

31 8. The annual fee for selling beer at any baseball park, race track or  
32 outdoor athletic field or stadium, to be consumed in any such baseball  
33 park, race track, or outdoor athletic field or stadium, shall be one  
34 hundred [~~ninety-two~~] ninety dollars.

35 9. The annual fee for a license to sell beer and wine products at  
36 retail not to be consumed on the premises where sold shall be one  
37 hundred [~~ninety-eight~~] ninety-five dollars.

38 10. The annual fee for a license to sell beer and wine products at  
39 retail not to be consumed on the premises where sold, when the applicant  
40 is the holder of two such licenses, the annual fee for each additional  
41 license thereafter issued to such licensee shall be three hundred  
42 [~~fifty-two~~] fifty dollars.

43 11. The annual fee for a license to operate a custom beermakers'  
44 center shall be three hundred twenty dollars.

45 § 8. Subdivision 6 of section 64 of the alcoholic beverage control  
46 law, as amended by chapter 204 of the laws of 1963, is amended to read  
47 as follows:

48 6. Where an on-premise license shall be granted to the owner of a  
49 hotel situated in a town or village the liquor authority may in its  
50 discretion grant to such owner the right to sell liquor and wine for  
51 off-premise consumption under the same terms and conditions as apply to  
52 off-premise licenses upon the payment of an additional fee of [~~sixty-~~  
53 ~~two~~] sixty dollars [~~and fifty cents~~]; provided, however, that this  
54 permission shall not be granted if an off-premise license has been  
55 granted for premises located within eight miles of such hotel.

1 § 9. Section 66 of the alcoholic beverage control law, as amended by  
2 section 3 of part Z of chapter 85 of the laws of 2002, subdivision 1-a  
3 as added by chapter 580 of the laws of 2002, subdivision 2-c as added by  
4 chapter 564 of the laws of 2007, subdivision 3-a as added by chapter 297  
5 of the laws of 2016, subdivision 4 as amended by chapter 703 of the laws  
6 of 2022, and subdivision 10 as added by chapter 331 of the laws of 2004,  
7 is amended to read as follows:

8 § 66. License fees. 1. The annual fee for a distiller's license, class  
9 A, shall be twelve thousand dollars.

10 1-a. The annual fee for a distiller's license, class A-1, shall be two  
11 hundred fifty dollars.

12 2. The annual fee for a distiller's license, class B, shall be eight  
13 thousand dollars.

14 2-a. The annual fee for a distiller's license, class C, shall be one  
15 hundred [~~twenty-eight~~] twenty-five dollars.

16 2-b. The annual fee for a distiller's license, class B-1, shall be  
17 three hundred twenty dollars.

18 2-c. The annual fee for a distiller's license, class D, shall be one  
19 hundred [~~twenty-eight~~] twenty-five dollars.

20 3. The annual fee for a license to sell liquor at wholesale [~~shall be~~  
21 ~~sixty-four hundred dollars~~]:

22 (a) if such wholesaler has gross sales of at least seven hundred fifty  
23 million dollars within the previous year in New York state as reported  
24 to the department of taxation and finance on the annual beer, wine, and  
25 liquor wholesalers transaction information, shall be one million  
26 dollars; and

27 (b) if such wholesaler has gross sales of under seven hundred fifty  
28 million dollars within the previous year in New York state as reported  
29 to the department of taxation and finance on the annual beer, wine, and  
30 liquor wholesalers transaction information, shall be eight hundred  
31 dollars.

32 3-a. The annual fee for an importer's license shall be one hundred  
33 twenty-five dollars.

34 4. The annual fee for a license, under section sixty-four or sixty-  
35 four-a of this article, to sell liquor at retail to be consumed on the  
36 premises where sold shall be twenty-one hundred [~~seventy-six~~] seventy  
37 dollars in the counties of New York, Kings, Bronx and Queens; fifteen  
38 hundred [~~thirty-six~~] thirty-five dollars in the county of Richmond and  
39 in cities having a population of more than one hundred thousand and less  
40 than one million; twelve hundred [~~sixteen~~] ten dollars in cities having  
41 a population of more than fifty thousand and less than one hundred thou-  
42 sand; and the sum of eight hundred [~~ninety-six~~] ninety-five dollars  
43 elsewhere; except that the license fees for catering establishments and  
44 off-premises catering establishments shall be two-thirds the license fee  
45 specified herein and for clubs, except luncheon clubs and golf clubs,  
46 shall be seven hundred fifty dollars in the counties of New York, Kings,  
47 Bronx and Queens; five hundred dollars in the county of Richmond and in  
48 cities having a population of more than one hundred thousand and less  
49 than one million; three hundred fifty dollars in cities having a popu-  
50 lation of more than fifty thousand and less than one hundred thousand;  
51 and the sum of two hundred fifty dollars elsewhere. The annual fees for  
52 luncheon clubs shall be three hundred seventy-five dollars, and for golf  
53 clubs in the counties of New York, Kings, Bronx, Queens, Nassau, Rich-  
54 mond and Westchester, two hundred fifty dollars, and elsewhere one  
55 hundred [~~eighty-seven~~] eighty-five dollars [~~and fifty cents~~]. Notwith-  
56 standing any other provision of law to the contrary, there shall be no

1 annual fee for a license, under section sixty-four, to sell liquor at  
2 retail to be consumed on the premises where the applicant is an organ-  
3 ization organized under section two hundred sixty of the military law  
4 and incorporated pursuant to the not-for-profit corporation law.  
5 Provided, however, that where any premises for which a license is issued  
6 pursuant to section sixty-four or sixty-four-a of this article remain  
7 open only within the period commencing April first and ending October  
8 thirty-first of any one year, or only within the period commencing Octo-  
9 ber first and ending the following April thirtieth, the liquor authority  
10 may, in its discretion, grant a summer or winter license effective only  
11 for such appropriate period of time, for which a license fee shall be  
12 paid to be pro-rated for the period for which such license is effective,  
13 at the rate provided for in the city, town or village in which such  
14 premises are located, except that no such license fee shall be less than  
15 one-half of the regular annual license fee; provided further that where  
16 the premises to be licensed are a race track or a golf course or are  
17 licensed pursuant to section sixty-four or sixty-four-a of this article,  
18 the period of such summer license may commence March first and end  
19 November thirtieth.

20 Where a hotel, restaurant, club, golf course or race track is open  
21 prior to April first and/or subsequent to October thirty-first by reason  
22 of the issuance of a caterer's permit or permits issued by the authori-  
23 ty, such fact alone shall not affect the eligibility of the premises or  
24 the person owning or operating such hotel, restaurant, club, golf course  
25 or race track for a summer license.

26 5. The annual fee for a license to sell liquor at retail not to be  
27 consumed on the premises where sold shall be thirteen hundred [~~sixty-~~  
28 ~~six~~ sixty dollars in the counties of New York, Kings, Bronx and Queens;  
29 eight hundred [~~fifty-four~~ fifty dollars in the county of Richmond and  
30 in cities having a population of more than one hundred thousand and less  
31 than one million; and elsewhere the sum of five hundred [~~twelve~~ ten  
32 dollars.

33 6. The annual fee for a license to sell liquor upon any railroad car  
34 to be consumed on such car or any car connected therewith shall be one  
35 hundred [~~ninety-two~~ ninety dollars for each railroad car licensed.

36 7. The annual fee for a license to sell liquor upon any vessel in this  
37 state to be consumed upon such vessel shall be sixteen hundred dollars  
38 for each vessel licensed, provided, however, that where a vessel is  
39 operated only within the period commencing April first and ending Octo-  
40 ber thirty-first of any one year, the liquor authority may, in its  
41 discretion, grant for such vessel a summer license effective only for  
42 such period of time, for which a license fee of four hundred [~~forty-~~  
43 ~~eight~~ forty dollars shall be paid.

44 8. The annual fee for a license to sell liquor upon an aircraft being  
45 operated on regularly scheduled flights by a United States certificated  
46 airline in this state shall be nineteen thousand two hundred [~~twenty~~  
47 dollars per annum for an airline company operating up to and including  
48 twenty such aircraft and twenty-five thousand six hundred [~~sixty~~  
49 dollars for such an airline operating more than twenty such aircraft.

50 9. The annual fee for a license for a bottle club shall be the same as  
51 the annual fee for a special license to sell liquor at retail to be  
52 consumed on the premises, as set forth in subdivision four of this  
53 section.

54 10. Notwithstanding any provision to the contrary, the annual fee for  
55 a license for an establishment defined as an owner-occupied residence  
56 providing at least three but no more than five rooms for temporary tran-

1 sient lodgers with sleeping accommodations and a meal in the forenoon of  
2 the day, known as a "bed and breakfast dwelling" as authorized by subdi-  
3 vision five-a of section sixty-four of this article, shall be two  
4 hundred dollars plus fifteen dollars per each available bedroom.

5 § 10. Subdivision 1 of section 79-a of the alcoholic beverage control  
6 law, as amended by section 5 of part Z of chapter 85 of the laws of  
7 2002, is amended to read as follows:

8 1. Any person licensed to sell beer at retail for consumption off the  
9 premises, pursuant to section fifty-four of this chapter, shall, by  
10 virtue of such license and upon payment to the liquor authority of an  
11 additional fee in the sum of one hundred sixty-five dollars in cities  
12 having a population of one hundred thousand or over and [~~eighty-three~~  
13 ~~eighty~~ eighty dollars elsewhere, be granted authorization to sell from the  
14 licensed premises wine products in sealed containers for consumption off  
15 such premises. Upon receipt of such additional fee, the liquor authority  
16 shall promptly issue a permit authorizing such sales by the licensee.

17 § 11. Subdivisions 1 and 1-a of section 79-b of the alcoholic beverage  
18 control law, as amended by section 6 of part Z of chapter 85 of the laws  
19 of 2002, are amended to read as follows:

20 1. Any person licensed to sell beer at retail for consumption on the  
21 premises, pursuant to section fifty-five of this chapter, shall, by  
22 virtue of such license and upon payment to the liquor authority of an  
23 additional fee in the sum of one hundred [~~ninety-two~~ ninety dollars in  
24 cities having a population of one hundred thousand or over and [~~ninety-~~  
25 ~~six~~] ninety dollars elsewhere, be granted authorization to sell from the  
26 licensed premises wine products in sealed containers at retail for  
27 consumption on or off such premises. Upon receipt of such additional  
28 fee, the liquor authority shall promptly issue a permit authorizing such  
29 sales by the licensee.

30 1-a. Any person licensed to sell beer at retail for consumption on the  
31 premises, pursuant to section fifty-five-a of this chapter, shall, by  
32 virtue of such license and upon payment to the liquor authority of an  
33 additional fee in the sum of one hundred [~~ninety-two~~ ninety dollars in  
34 cities having a population of one hundred thousand or over and [~~ninety-~~  
35 ~~six~~] ninety dollars elsewhere, be granted authorization to sell from the  
36 licensed premises wine products in sealed containers at retail for  
37 consumption on such premises. Upon receipt of such additional fee, the  
38 liquor authority shall promptly issue a permit authorizing such sales by  
39 the licensee.

40 § 12. Section 83 of the alcoholic beverage control law, as amended by  
41 section 7 of part Z of chapter 85 of the laws of 2002, subdivision 1-a  
42 as amended by chapter 221 of the laws of 2011, subdivision 1-d as  
43 amended by chapter 613 of the laws of 2008, subdivision 8 as added by  
44 chapter 355 of the laws of 2013, and subdivision 9 as added by chapter  
45 422 of the laws of 2016, is amended to read as follows:

46 § 83. License fees. 1. The annual fee for a winery license shall be  
47 six hundred twenty-five dollars.

48 1-a. The annual fee for a farm winery license shall be one hundred  
49 twenty-five dollars, provided that the annual fee for a farm winery  
50 manufacturing no more than fifteen hundred finished gallons of wine  
51 annually shall be fifty dollars.

52 1-d. The fee for each license issued for a winery or farm winery  
53 licensee's authority to conduct wine tastings and the sale of New York  
54 state labelled wines for off-premises consumption pursuant to paragraph  
55 (c) of subdivision two of section seventy-six of this article shall be  
56 forty dollars.

1 2. The annual fee for a license to sell wine at wholesale [~~shall be~~  
2 ~~eight hundred dollars~~];

3 (a) if such wholesaler has gross sales of at least seven hundred fifty  
4 million dollars within the previous year in New York state as reported  
5 to the department of taxation and finance on the annual beer, wine, and  
6 liquor wholesalers transaction information, shall be one million  
7 dollars; and

8 (b) if such wholesaler has gross sales of under seven hundred fifty  
9 million dollars within the previous year in New York state as reported  
10 to the department of taxation and finance on the annual beer, wine, and  
11 liquor wholesalers transaction information, shall be eight hundred  
12 dollars.

13 3. The annual fee for a license to sell wine at retail, not to be  
14 consumed on the premises, shall be six hundred forty dollars for each  
15 such place where such business is carried on in cities having a popu-  
16 lation of one million or more; in cities having less than one million  
17 population and more than one hundred thousand, three hundred twenty  
18 dollars; and elsewhere, the sum of one hundred forty-five dollars.

19 4. The annual fee for selling wine at retail, to be consumed on the  
20 premises where sold, shall be as follows:

21 (a) In cities having a population of one hundred thousand or over the  
22 sum of four hundred eighty dollars per year; and

23 (b) Elsewhere, the sum of two hundred forty dollars per year.

24 4-a. The annual fee for a license to sell wine at retail to be  
25 consumed on the premises where sold where the premises to be licensed  
26 remain open only within the period commencing April first and ending  
27 October thirty-first of any one year or only within the period commenc-  
28 ing October first and ending the following April thirtieth, the liquor  
29 authority, in its discretion, may grant a summer or winter license  
30 effective only for such appropriate period of time, for which an annual  
31 fee of one hundred [~~twelve~~ ten dollars shall be paid.

32 5. The annual fee for a special license to sell wine at retail, to be  
33 consumed on the premises where sold, shall be as follows:

34 (a) In cities having a population of one hundred thousand or over, the  
35 sum of five hundred [~~seventy-six~~ seventy-five dollars per year; and

36 (b) Elsewhere, the sum of two hundred seventy dollars per year.

37 6. The annual fee for a special winery license shall be six hundred  
38 twenty-five dollars.

39 7. The annual fee for a special farm winery license shall be one  
40 hundred twenty-five dollars.

41 8. The annual fee for a roadside farm market license shall be one  
42 hundred dollars.

43 9. The annual fee for a license to operate a custom winemakers' center  
44 shall be three hundred twenty dollars.

45 § 13. Section 122 of the alcoholic beverage control law, as amended by  
46 chapter 408 of the laws of 1997, is amended to read as follows:

47 § 122. Continuance of business by receiver or other representative.  
48 If a corporation or copartnership holding any license or holding a  
49 permit for which an annual fee of one hundred dollars or more is  
50 prescribed by this chapter shall be dissolved, or if a receiver or  
51 assignee for the benefit of creditors be appointed therefor, or if a  
52 receiver, assignee for the benefit of creditors or a committee or  
53 conservator of the property of an individual holding any license or  
54 holding a permit for which an annual fee of one hundred dollars or more  
55 is prescribed by this chapter be appointed, during the time for which  
56 such license or permit was granted, or if a person, including a member

1 of a copartnership, holding any license or holding a permit for which an  
2 annual fee of one hundred dollars or more is prescribed by this chapter  
3 shall die during the term for which such license or permit was given,  
4 such corporation, copartnership, receiver or assignee, or the adminis-  
5 trator or executor of the estate of such individual, or of such deceased  
6 member of a copartnership, or a committee of the property of a person  
7 adjudged to be incompetent, or a conservator of the property of an indi-  
8 vidual, or a petition under title eleven of the United States code shall  
9 have been filed and a trustee has been appointed or the holder of the  
10 license [~~ef~~] or permit has been permitted to remain in possession with-  
11 out the appointment of a trustee, may continue to carry on such business  
12 upon such premises for the balance of the term for which such license or  
13 permit was effective, with the same rights and subject to the same  
14 restrictions and liabilities as if [~~he~~] they had been the original  
15 applicant for and the original holder, or one of either of them, of such  
16 license or permit, providing the approval of the liquor authority shall  
17 be first obtained. Before continuing such business, such receiver,  
18 assignee, individual, committee, or conservator, debtor in possession,  
19 or trustee in bankruptcy shall file a statement setting forth in such  
20 form and substance as the liquor authority may prescribe the facts and  
21 circumstances by which [~~he has~~] they have succeeded to the rights of the  
22 original licensee or permittee. The liquor authority may, in its  
23 discretion, permit the continuance of such business or may refuse to do  
24 so. In the event that the authority determines to permit the continuance  
25 of the business, the license or permit shall be submitted to the author-  
26 ity and shall have affixed thereto a certificate in the form prescribed  
27 by the authority. For each such certificate, a fee shall be paid to the  
28 liquor authority of fifty dollars by the applicant, except in the case  
29 of an off-premise beer license, such fee shall be ten dollars which  
30 shall be paid into the same fund as other license fees herein provided  
31 for.

32 § 14. This act shall take effect on the first of January next succeed-  
33 ing the date on which it shall have become a law. Effective immediately,  
34 the addition, amendment and/or repeal of any rule or regulation neces-  
35 sary for the implementation of this act on its effective date are  
36 authorized to be made and completed on or before such effective date.

37

## PART I

38 Section 1. The opening paragraph of subdivision 2 of section 99-d of  
39 the alcoholic beverage control law, as amended by chapter 560 of the  
40 laws of 2011, is amended to read as follows:

41 Before any change in the members of a limited liability company or the  
42 transfer or assignment of a membership interest in a limited liability  
43 company or any corporate change in stockholders, stockholdings, alcohol-  
44 ic beverage officers, officers or directors, except officers and direc-  
45 tors of a premises licensed as a club or a luncheon club under this  
46 chapter can be effectuated for the purposes of this chapter, there shall  
47 be filed with the liquor authority an application for permission to make  
48 such change and there shall be paid to the liquor authority in advance  
49 upon filing of the application a fee of one hundred twenty-eight  
50 dollars. Such application shall be deemed approved and in effect if not  
51 disapproved by the authority prior to the expiration of ninety days  
52 after receipt by the authority.

53 § 2. This act shall take effect immediately.

1

PART J

2 Section 1. Subdivision 4 of section 97-a of the alcoholic beverage  
3 control law, as amended by chapter 431 of the laws of 2024, is amended  
4 to read as follows:

5 4. A temporary retail permit issued by the authority pursuant to this  
6 section shall be for a period not to exceed one hundred eighty days. A  
7 temporary permit may be extended at the discretion of the authority, for  
8 an additional [~~thirty~~] ninety day period upon payment of an additional  
9 fee of sixty-four dollars for all retail beer licenses and ninety-six  
10 dollars for all other temporary permits and upon compliance with all  
11 conditions required in this section. The authority may, in its  
12 discretion, issue additional [~~thirty~~] ninety day extensions upon payment  
13 of the appropriate fee.

14 § 2. Subdivision 6 of section 97-a of the alcoholic beverage control  
15 law, as added by chapter 396 of the laws of 2010, is amended to read as  
16 follows:

17 6. The holder of a temporary retail permit shall [~~purchase alcoholic  
18 beverages only by payment in currency or check for such alcoholic bever-  
19 ages on or before the day such alcoholic beverages are delivered,  
20 provided, however, that the holder of a temporary permit issued pursuant  
21 to this section who also holds one or more retail licenses and is oper-  
22 ating under such retail license or licenses in addition to the temporary  
23 retail permit, and who is not delinquent under the provisions of section  
24 one hundred one-aa of this chapter as to any retail license under which  
25 he operates, may purchase alcoholic beverages on credit under the tempo-  
26 rary permit~~] be subject to sections one hundred one-aa and one hundred  
27 one-aaa of this chapter.

28 § 3. Section 5 of chapter 396 of the laws of 2010 amending the alco-  
29 holic beverage control law relating to liquidator's permits and tempo-  
30 rary retail permits, as amended by section 1 of part K of chapter 55 of  
31 the laws of 2024, is amended to read as follows:

32 § 5. This act shall take effect on the sixtieth day after it shall  
33 have become a law[~~, provided that paragraph (b) of subdivision 1 of  
34 section 97-a of the alcoholic beverage control law as added by section  
35 two of this act shall expire and be deemed repealed October 12, 2025~~].

36 § 4. This act shall take effect immediately; provided, however, that  
37 section two of this act shall take effect on the ninetieth day after it  
38 shall have become a law.

39

PART K

40 Section 1. The alcoholic beverage control law is amended by adding a  
41 new section 97-e to read as follows:

42 § 97-e. Temporary wholesale permit. 1. Any person may apply to the  
43 liquor authority for a temporary permit to operate any alcoholic bever-  
44 age wholesale facility as may be licensed under this chapter. Such  
45 application shall be in writing and verified and shall contain informa-  
46 tion as the liquor authority shall require. Such application shall be  
47 accompanied by a check or draft in the amount of one hundred twenty-five  
48 dollars for such permit.

49 2. Upon application, the liquor authority may issue such temporary  
50 permit when:

51 (a) the applicant has a wholesale license application at the same  
52 premises pending before the liquor authority, together with all required  
53 filing and license fees;

1 (b) the applicant has obtained and provided evidence of all permits,  
2 licenses and other documents necessary for the operation of such a busi-  
3 ness; and

4 (c) any current license in effect at the premises has been surrendered  
5 or placed in safekeeping, or has been deemed abandoned by the authority.

6 3. The liquor authority in granting such permit shall ensure that:

7 (a) issuance of the permit will not inordinately hinder the operation  
8 or effective administration of this chapter;

9 (b) the applicant would in all likelihood be able to ultimately obtain  
10 the wholesale license being applied for; and

11 (c) the applicant has substantially complied with the requirements  
12 necessary to obtain such license.

13 4. The application for a permit shall be approved or denied by the  
14 liquor authority within forty-five days after the receipt of such appli-  
15 cation.

16 5. A temporary permit shall authorize the permittee to operate a  
17 wholesale facility for the purchase, warehousing, and sale of alcoholic  
18 beverages according to the laws applicable to the type of wholesale  
19 license being applied for.

20 6. Such temporary permit shall remain in effect for six months or  
21 until the wholesale license being applied for is approved and the  
22 license granted, whichever is shorter. Such permit may be extended at  
23 the discretion of the liquor authority for additional three-month peri-  
24 ods of time upon payment of an additional fee of fifty dollars for each  
25 such extension.

26 7. Notwithstanding any provision of law to the contrary, a temporary  
27 wholesale permit may be summarily cancelled or suspended at any time if  
28 the liquor authority determines that good cause for cancellation or  
29 suspension exists. The liquor authority shall promptly notify the  
30 permittee in writing of such cancellation or suspension and shall set  
31 forth the reasons for such action.

32 8. The liquor authority in reviewing such application shall review the  
33 entire record and grant the temporary permit unless good cause is other-  
34 wise shown. A decision on an application shall be based on substantial  
35 evidence in the record and supported by a preponderance of the evidence  
36 in favor of the applicant.

37 § 2. Section 104 of the alcoholic beverage control law is amended by  
38 adding a new subdivision 4 to read as follows:

39 4. Notwithstanding any other provision of this chapter to the contra-  
40 ry, the authority may issue a cider producer or wholesaler's license,  
41 beer wholesaler's license, wine wholesaler's license, or liquor whole-  
42 saler's license to the holder of any wholesaler's license issued pursu-  
43 ant to this chapter for use at such licensee's existing licensed prem-  
44 ises. The liquor authority is hereby authorized to adopt such rules as  
45 it may deem necessary to carry out the purposes of this subdivision.

46 § 3. This act shall take effect immediately and shall apply to all  
47 applications filed after such effective date.

48

## PART L

49 Section 1. Paragraph (a) of subdivision 7 of section 64 of the alco-  
50 holic beverage control law, as amended by chapter 463 of the laws of  
51 2009, is amended to read as follows:

52 (a) on the same street or avenue and within two hundred feet of a  
53 building occupied exclusively as a school, church, synagogue or other  
54 place of worship; provided, however, that the authority may issue a

1 retail license for on-premises consumption for a premises which shall be  
2 within two hundred feet of a building occupied exclusively as a school,  
3 church, synagogue, or other place of worship if the owner or administra-  
4 tor of such school, church, or other place of worship affirmatively  
5 state support for the issuance of such a license, or

6 § 2. Subparagraph (i) of paragraph (a) of subdivision 7 of section  
7 64-a of the alcoholic beverage control law, as amended by chapter 463 of  
8 the laws of 2009, is amended to read as follows:

9 (i) on the same street or avenue and within two hundred feet of a  
10 building occupied exclusively as a school, church, synagogue or other  
11 place of worship; provided, however, that the authority may issue a  
12 retail license for on-premises consumption for a premises which shall be  
13 within two hundred feet of a building occupied exclusively as a school,  
14 church, synagogue, or other place of worship if the owner or administra-  
15 tor of such school, church, or other place of worship affirmatively  
16 state support for the issuance of such a license; or

17 § 3. Subparagraph (i) of paragraph (a) of subdivision 5 of section  
18 64-b of the alcoholic beverage control law, as amended by chapter 463 of  
19 the laws of 2009, is amended to read as follows:

20 (i) on the same street or avenue and within two hundred feet of a  
21 building occupied exclusively as a school, church, synagogue or other  
22 place of worship; provided, however, that the authority may issue a  
23 retail license for on-premises consumption for a premises which shall be  
24 within two hundred feet of a building occupied exclusively as a school,  
25 church, synagogue, or other place of worship if the owner or adminis-  
26 trator of such school, church, or other place of worship affirmative-  
27 ly state support for the issuance of such a license; or

28 § 4. Subparagraph (i) of paragraph (a) of subdivision 11 of section  
29 64-c of the alcoholic beverage control law, as amended by chapter 463 of  
30 the laws of 2009, is amended to read as follows:

31 (i) on the same street or avenue and within two hundred feet of a  
32 building occupied exclusively as a school, church, synagogue or other  
33 place of worship; provided, however, that the authority may issue a  
34 retail license for on-premises consumption for a premises which shall be  
35 within two hundred feet of a building occupied exclusively as a school,  
36 church, synagogue, or other place of worship if the owner or adminis-  
37 trator of such school, church, or other place of worship affirmative-  
38 ly state support for the issuance of such a license; or

39 § 5. Paragraph (a) of subdivision 8 of section 64-d of the alcoholic  
40 beverage control law, as amended by chapter 463 of the laws of 2009, is  
41 amended to read as follows:

42 (a) on the same street or avenue and within two hundred feet of a  
43 building occupied exclusively as a school, church, synagogue or other  
44 place of worship; provided, however, that the authority may issue a  
45 retail license for on-premises consumption for a premises which shall be  
46 within two hundred feet of a building occupied exclusively as a school,  
47 church, synagogue, or other place of worship if the owner or adminis-  
48 trator of such school, church, or other place of worship affirmative-  
49 ly state support for the issuance of such a license; or

50 § 6. This act shall take effect immediately.

51 PART M

52 Section 1. Paragraphs (b) and (f) of subdivision 7 of section 64 of  
53 the alcoholic beverage control law, paragraph (b) as amended by chapter

1 463 of the laws of 2009 and paragraph (f) as amended by chapter 185 of  
2 the laws of 2012, are amended to read as follows:

3 (b) in a [~~city, town or village having a population of twenty thousand~~  
4 ~~or more~~] county having a population between one million six hundred  
5 thousand and one million seven hundred thousand as of the two thousand  
6 twenty census as conducted by the United States department of commerce  
7 within five hundred feet of three or more existing premises licensed and  
8 operating pursuant to this section and sections sixty-four-a, sixty-  
9 four-b, sixty-four-c, and/or sixty-four-d of this article;

10 (f) Notwithstanding the provisions of paragraph (b) of this subdivi-  
11 sion, in a county having a population between one million six hundred  
12 thousand and one million seven hundred thousand as of the two thousand  
13 twenty census as conducted by the United States department of commerce,  
14 the authority may issue a license pursuant to this section for a prem-  
15 ises which shall be within five hundred feet of three or more existing  
16 premises licensed and operating pursuant to this section and sections  
17 sixty-four-a, sixty-four-b, sixty-four-c, and/or sixty-four-d of this  
18 article if, after consultation with the municipality or community board,  
19 it determines that granting such license would be in the public inter-  
20 est. Before it may issue any such license, the authority shall conduct a  
21 hearing, upon notice to the applicant and the municipality or community  
22 board, and shall state and file in its office its reasons therefor. The  
23 hearing may be rescheduled, adjourned or continued, and the authority  
24 shall give notice to the applicant and the municipality or community  
25 board of any such rescheduled, adjourned or continued hearing. Before  
26 the authority issues any said license, the authority or one or more of  
27 the commissioners thereof may, in addition to the hearing required by  
28 this paragraph, also conduct a public meeting regarding said license,  
29 upon notice to the applicant and the municipality or community board.  
30 The public meeting may be rescheduled, adjourned or continued, and the  
31 authority shall give notice to the applicant and the municipality or  
32 community board of any such rescheduled, adjourned or continued public  
33 meeting. Notice to the municipality or community board shall mean writ-  
34 ten notice mailed by the authority to such municipality or community  
35 board at least fifteen days in advance of any hearing scheduled pursuant  
36 to this paragraph. Upon the request of the authority, any municipality  
37 or community board may waive the fifteen day notice requirement. No  
38 premises having been granted a license pursuant to this section shall be  
39 denied a renewal of such license upon the grounds that such premises are  
40 within five hundred feet of a building or buildings wherein three or  
41 more premises are licensed and operating pursuant to this section and  
42 sections sixty-four-a, sixty-four-b, sixty-four-c, and/or sixty-four-d  
43 of this article.

44 § 2. Paragraphs (a) and (d) of subdivision 7 of section 64-a of the  
45 alcoholic beverage control law, paragraph (a) as amended by chapter 463  
46 of the laws of 2009 and paragraph (d) as amended by chapter 185 of the  
47 laws of 2012, are amended to read as follows:

48 (a) No special on-premises license shall be granted for any premises  
49 which shall be

50 (i) on the same street or avenue and within two hundred feet of a  
51 building occupied exclusively as a school, church, synagogue or other  
52 place of worship or

53 (ii) in a [~~city, town or village having a population of twenty thou-~~  
54 ~~sand or more~~] county having a population between one million six hundred  
55 thousand and one million seven hundred thousand as of the two thousand  
56 twenty census as conducted by the United States department of commerce

1 within five hundred feet of three or more existing premises licensed and  
2 operating pursuant to this section and sections sixty-four,  
3 sixty-four-b, sixty-four-c, and/or sixty-four-d of this article;

4 (iii) the measurements in subparagraphs (i) and (ii) of this paragraph  
5 are to be taken in straight lines from the center of the nearest  
6 entrance of the premises sought to be licensed to the center of the  
7 nearest entrance of such school, church, synagogue or other place of  
8 worship or to the center of the nearest entrance of each such premises  
9 licensed and operating pursuant to this section and sections sixty-four,  
10 sixty-four-b, sixty-four-c, and/or sixty-four-d of this article; except  
11 that no license shall be denied to any premises at which a license under  
12 this chapter has been in existence continuously from a date prior to the  
13 date when a building on the same street or avenue and within two hundred  
14 feet of said premises has been occupied exclusively as a school, church,  
15 synagogue or other place of worship; and except that no license shall be  
16 denied to any premises, which is within five hundred feet of three or  
17 more existing premises licensed and operating pursuant to this section  
18 and sections sixty-four, sixty-four-b, sixty-four-c, and/or sixty-four-d  
19 of this article, at which a license under this chapter has been in  
20 existence continuously on or prior to November first, nineteen hundred  
21 ninety-three. The liquor authority, in its discretion, may authorize the  
22 removal of any such licensed premises to a different location on the  
23 same street or avenue, within two hundred feet of said school, church,  
24 synagogue or other place of worship, provided that such new location is  
25 not within a closer distance to such school, church, synagogue or other  
26 place of worship.

27 (d) Notwithstanding the provisions of subparagraph (ii) of paragraph  
28 (a) of this subdivision, in a county having a population between one  
29 million six hundred thousand and one million seven hundred thousand as  
30 of the two thousand twenty census as conducted by the United States  
31 department of commerce, the authority may issue a license pursuant to  
32 this section for a premises which shall be within five hundred feet of  
33 three or more existing premises licensed and operating pursuant to this  
34 section and sections sixty-four, sixty-four-b, sixty-four-c, and/or  
35 sixty-four-d of this article if, after consultation with the munici-  
36 pality or community board, it determines that granting such license  
37 would be in the public interest. Before it may issue any such license,  
38 the authority shall conduct a hearing, upon notice to the applicant and  
39 the municipality or community board, and shall state and file in its  
40 office its reasons therefor. Notice to the municipality or community  
41 board shall mean written notice mailed by the authority to such munici-  
42 pality or community board at least fifteen days in advance of any hear-  
43 ing scheduled pursuant to this paragraph. Upon the request of the  
44 authority, any municipality or community board may waive the fifteen day  
45 notice requirement. The hearing may be rescheduled, adjourned or contin-  
46 ued, and the authority shall give notice to the applicant and the muni-  
47 cipality or community board of any such rescheduled, adjourned or  
48 continued hearing. Before the authority issues any said license, the  
49 authority or one or more of the commissioners thereof may, in addition  
50 to the hearing required by this paragraph, also conduct a public meeting  
51 regarding said license, upon notice to the applicant and the munici-  
52 pality or community board. The public meeting may be rescheduled,  
53 adjourned or continued, and the authority shall give notice to the  
54 applicant and the municipality or community board of any such resched-  
55 uled, adjourned or continued public meeting. No premises having been  
56 granted a license pursuant to this section shall be denied a renewal of

1 such license upon the grounds that such premises are within five hundred  
2 feet of a building or buildings wherein three or more premises are  
3 licensed and operating pursuant to this section and sections sixty-four,  
4 sixty-four-b, sixty-four-c, and/or sixty-four-d of this article.

5 § 3. Paragraphs (a) and (c) of subdivision 5 of section 64-b of the  
6 alcoholic beverage control law, paragraph (a) as amended by chapter 463  
7 of the laws of 2009 and paragraph (c) as amended by chapter 185 of the  
8 laws of 2012, are amended to read as follows:

9 (a) No bottle club license shall be granted for any premises which  
10 shall be

11 (i) on the same street or avenue and within two hundred feet of a  
12 building occupied exclusively as a school, church, synagogue or other  
13 place of worship; or

14 (ii) in a [~~city, town or village having a population of twenty thou-~~  
15 ~~sand or more~~] county having a population between one million six hundred  
16 thousand and one million seven hundred thousand as of the two thousand  
17 twenty census as conducted by the United States department of commerce  
18 within five hundred feet of three or more existing premises licensed and  
19 operating pursuant to this section and sections sixty-four,  
20 sixty-four-a, sixty-four-c, and/or sixty-four-d of this article;

21 (iii) the measurements in subparagraphs (i) and (ii) of this paragraph  
22 are to be taken in straight lines from the center of the nearest  
23 entrance of the premises sought to be licensed to the center of the  
24 nearest entrance of such school, church, synagogue or other place of  
25 worship or to the center of the nearest entrance of each such premises  
26 licensed and operating pursuant to this section and sections sixty-four,  
27 sixty-four-a, sixty-four-c, and/or sixty-four-d of this article; except  
28 that no license shall be denied to any premises at which a license under  
29 this chapter has been in existence continuously from a date prior to the  
30 date when a building on the same street or avenue and within two hundred  
31 feet of said premises has been occupied exclusively as a school, church,  
32 synagogue or other place of worship; and except that no license shall be  
33 denied to any premises, which is within five hundred feet of three or  
34 more existing premises licensed and operating pursuant to this section  
35 and sections sixty-four, sixty-four-a, sixty-four-c, and/or sixty-four-d  
36 of this article, at which a license under this chapter has been in  
37 existence continuously on or prior to November first, nineteen hundred  
38 ninety-three. The liquor authority, in its discretion, may authorize the  
39 removal of any such licensed premises to a different location on the  
40 same street or avenue, within two hundred feet of said school, church,  
41 synagogue or other place of worship, provided that such new location is  
42 not within a closer distance to such school, church, synagogue or other  
43 place of worship.

44 (c) Notwithstanding the provisions of subparagraph (ii) of paragraph  
45 (a) of this subdivision, in a county having a population between one  
46 million six hundred thousand and one million seven hundred thousand as  
47 of the two thousand twenty census as conducted by the United States  
48 department of commerce, the authority may issue a license pursuant to  
49 this section for a premises which shall be within five hundred feet of  
50 three or more existing premises licensed and operating pursuant to this  
51 section and sections sixty-four, sixty-four-a, sixty-four-c, and/or  
52 sixty-four-d of this article if, after consultation with the munici-  
53 pality or community board, it determines that granting such license  
54 would be in the public interest. Before it may issue any such license,  
55 the authority shall conduct a hearing, upon notice to the applicant and  
56 the municipality or community board, and shall state and file in its

1 office its reasons therefor. The hearing may be rescheduled, adjourned  
2 or continued, and the authority shall give notice to the applicant and  
3 the municipality or community board of any such rescheduled, adjourned  
4 or continued hearing. Before the authority issues any said license, the  
5 authority or one or more of the commissioners thereof may, in addition  
6 to the hearing required by this paragraph, also conduct a public meeting  
7 regarding said license, upon notice to the applicant and the municipi-  
8 pality or community board. The public meeting may be rescheduled,  
9 adjourned or continued, and the authority shall give notice to the  
10 applicant and the municipality or community board of any such resched-  
11 uled, adjourned or continued public meeting. Notice to the municipality  
12 or community board shall mean written notice mailed by the authority to  
13 such municipality or community board at least fifteen days in advance of  
14 any hearing scheduled pursuant to this paragraph. Upon the request of  
15 the authority, any municipality or community board may waive the fifteen  
16 day notice requirement. No premises having been granted a license pursu-  
17 ant to this section shall be denied a renewal of such license upon the  
18 grounds that such premises are within five hundred feet of a building or  
19 buildings wherein three or more premises are licensed and operating  
20 pursuant to this section and sections sixty-four, sixty-four-a, sixty-  
21 four-c, and/or sixty-four-d of this article.

22 § 4. Paragraphs (a) and (c) of subdivision 11 of section 64-c of the  
23 alcoholic beverage control law, paragraph (a) as amended by chapter 463  
24 of the laws of 2009 and paragraph (c) as amended by chapter 185 of the  
25 laws of 2012, are amended to read as follows:

26 (a) No restaurant-brewer license shall be granted for any premises  
27 which shall be:

28 (i) on the same street or avenue and within two hundred feet of a  
29 building occupied exclusively as a school, church, synagogue or other  
30 place of worship; or

31 (ii) in a [~~city, town or village having a population of twenty thou-~~  
32 ~~sand or more~~] county having a population between one million six hundred  
33 thousand and one million seven hundred thousand as of the two thousand  
34 twenty census as conducted by the United States department of commerce

35 within five hundred feet of three or more existing premises licensed and  
36 operating pursuant to the provisions of this section or sections sixty-  
37 four, sixty-four-a, sixty-four-b and/or sixty-four-d of this article; or

38 (iii) the measurements in subparagraphs (i) and (ii) of this paragraph  
39 are to be taken in straight lines from the center of the nearest  
40 entrance of the premises sought to be licensed to the center of the  
41 nearest entrance of such school, church, synagogue or other place of  
42 worship or to the center of the nearest entrance of each such premises  
43 licensed and operating pursuant to this section and sections sixty-four,  
44 sixty-four-a, sixty-four-b and/or sixty-four-d of this article; except  
45 that no license shall be denied to any premises at which a license under  
46 this chapter has been in existence continuously from a date prior to the  
47 date when a building on the same street or avenue and within two hundred  
48 feet of said premises has been occupied exclusively as a school, church,  
49 synagogue or other place of worship and except that no license shall be  
50 denied to any premises, which is within five hundred feet of three or  
51 more existing premises licensed and operating pursuant to this section  
52 and sections sixty-four, sixty-four-a, sixty-four-b and/or sixty-four-d  
53 of this article, at which a license under this chapter has been in  
54 existence continuously on or prior to November first, nineteen hundred  
55 ninety-three.

1 (c) Notwithstanding the provisions of subparagraph (ii) of paragraph  
2 (a) of this subdivision, in a county having a population between one  
3 million six hundred thousand and one million seven hundred thousand as  
4 of the two thousand twenty census as conducted by the United States  
5 department of commerce, the authority may issue a license pursuant to  
6 this section for a premises which shall be within five hundred feet of  
7 three or more existing premises licensed and operating pursuant to this  
8 section and sections sixty-four, sixty-four-a, sixty-four-b and/or  
9 sixty-four-d of this article if, after consultation with the munici-  
10 pality or community board, it determines that granting such license  
11 would be in the public interest. Before it may issue any such license,  
12 the authority shall conduct a hearing, upon notice to the applicant and  
13 the municipality or community board, and shall state and file in its  
14 office its reasons therefor. The hearing may be rescheduled, adjourned  
15 or continued, and the authority shall give notice to the applicant and  
16 the municipality or community board of any such rescheduled, adjourned  
17 or continued hearing. Before the authority issues any said license, the  
18 authority or one or more of the commissioners thereof may, in addition  
19 to the hearing required by this paragraph, also conduct a public meeting  
20 regarding said license, upon notice to the applicant and the munici-  
21 pality or community board. The public meeting may be rescheduled,  
22 adjourned or continued, and the authority shall give notice to the  
23 applicant and the municipality or community board of any such resched-  
24 uled, adjourned or continued public meeting. Notice to the municipality  
25 or community board shall mean written notice mailed by the authority to  
26 such municipality or community board at least fifteen days in advance of  
27 any hearing scheduled pursuant to this paragraph. Upon the request of  
28 the authority, any municipality or community board may waive the fifteen  
29 day notice requirement. No premises having been granted a license pursu-  
30 ant to this section shall be denied a renewal of such license upon the  
31 grounds that such premises are within five hundred feet of a building or  
32 buildings wherein three or more premises are operating and licensed  
33 pursuant to this section or sections sixty-four, sixty-four-a, sixty-  
34 four-b and/or sixty-four-d of this article.

35 § 5. Paragraphs (b) and (e) of subdivision 8 of section 64-d of the  
36 alcoholic beverage control law, paragraph (b) as amended by chapter 463  
37 of the laws of 2009 and paragraph (e) as amended by chapter 185 of the  
38 laws of 2012, are amended to read as follows:

39 (b) in a [~~city, town or village having a population of twenty thousand~~  
40 ~~or more~~] county having a population between one million six hundred  
41 thousand and one million seven hundred thousand as of the two thousand  
42 twenty census as conducted by the United States department of commerce  
43 within five hundred feet of an existing premises licensed and operating  
44 pursuant to the provisions of this section, or within five hundred feet  
45 of three or more existing premises licensed and operating pursuant to  
46 this section and sections sixty-four, sixty-four-a, sixty-four-b, and/or  
47 sixty-four-c of this article.

48 (e) notwithstanding the provisions of paragraph (b) of this subdivi-  
49 sion, in a county having a population between one million six hundred  
50 thousand and one million seven hundred thousand as of the two thousand  
51 twenty census as conducted by the United States department of commerce,  
52 the authority may issue a license pursuant to this section for a prem-  
53 ises which shall be within five hundred feet of an existing premises  
54 licensed and operating pursuant to the provisions of this section or  
55 within five hundred feet of three or more existing premises licensed and  
56 operating pursuant to this section and sections sixty-four,

1 sixty-four-a, sixty-four-b, and/or sixty-four-c of this article if,  
2 after consultation with the municipality or community board, it deter-  
3 mines that granting such license would be in the public interest.  
4 Before it may issue any such license, the authority shall conduct a  
5 hearing, upon notice to the applicant and the municipality or community  
6 board, and shall state and file in its office its reasons therefor. The  
7 hearing may be rescheduled, adjourned or continued, and the authority  
8 shall give notice to the applicant and the municipality or community  
9 board of any such rescheduled, adjourned or continued hearing. Before  
10 the authority issues any said license, the authority or one or more of  
11 the commissioners thereof may, in addition to the hearing required by  
12 this paragraph, also conduct a public meeting regarding said license,  
13 upon notice to the applicant and the municipality or community board.  
14 The public meeting may be rescheduled, adjourned or continued, and the  
15 authority shall give notice to the applicant and the municipality or  
16 community board of any such rescheduled, adjourned or continued public  
17 meeting. Notice to the municipality or community board shall mean writ-  
18 ten notice mailed by the authority to such municipality or community  
19 board at least fifteen days in advance of any hearing scheduled pursuant  
20 to this paragraph. Upon the request of the authority, any municipality  
21 or community board may waive the fifteen day notice requirement. No  
22 premises having been granted a license pursuant to this section shall be  
23 denied a renewal of such license upon the grounds that such premises are  
24 within five hundred feet of an existing premises licensed and operating  
25 pursuant to the provisions of this section or within five hundred feet  
26 of a building or buildings wherein three or more premises are licensed  
27 and operating pursuant to this section and sections sixty-four, sixty-  
28 four-a, sixty-four-b, and/or sixty-four-c of this article.

29 § 6. This act shall take effect immediately.

30 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-  
31 sion, section or part of this act shall be adjudged by any court of  
32 competent jurisdiction to be invalid, such judgment shall not affect,  
33 impair, or invalidate the remainder thereof, but shall be confined in  
34 its operation to the clause, sentence, paragraph, subdivision, section  
35 or part thereof directly involved in the controversy in which such judg-  
36 ment shall have been rendered. It is hereby declared to be the intent of  
37 the legislature that this act would have been enacted even if such  
38 invalid provisions had not been included herein.

39 § 3. This act shall take effect immediately; provided, however, that  
40 the applicable effective date of Parts A through M of this act shall be  
41 as specifically set forth in the last section of such Parts.