STATE OF NEW YORK

9291

IN SENATE

February 25, 2026

Introduced by Sen. COONEY -- 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 seven day licenses to sell liquor at retail for consumption off the premises; and to amend the state finance law, in relation to establishing the New York distilled spirits and wine industry marketing and promotion fund; and to repeal certain provisions of the alcoholic beverage control law relating thereto

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

Section 1. Subdivision 6 of section 63 of the alcoholic beverage control law is REPEALED.

§ 2. Subdivision 5 of section 63 of the alcoholic beverage control law is amended to read as follows:

5. [~~Not~~] **Prior to January first, two thousand twenty-six, not** more than one license shall be granted to any person under this section. **Beginning on and after January first, two thousand twenty-six, a person may be granted not more than two additional seven day licenses.**

§ 3. Subdivision 5 of section 66 of the alcoholic beverage control law, as amended by section 3 of part Z of chapter 85 of the laws of 2002, is amended to read as follows:

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

§ 4. Subdivision 16 of section 105 of the alcoholic beverage control law, as amended by chapter 621 of the laws of 1944, is amended to read as follows:

16. No retail licensee to sell liquors and/or wines for off-premises consumption shall be interested, directly or indirectly, in any premises where liquors, wines or beer are manufactured or sold at wholesale or,

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

LBD14802-01-6

except as set forth in section sixty-three of this chapter, any other premises where liquor or wine is sold at retail for off-premises consumption, by stock ownership, interlocking directors, mortgage or lien on any personal or real property or by any other means. Any lien, mortgage or other interest or estate, however, now held by such retailer on or in the personal or real property of such manufacturer or wholesaler, which mortgage, lien, interest or estate was acquired on or before December thirty-first, nineteen hundred thirty-two, shall not be included within the provisions of this subdivision; provided, however, the burden of establishing the time of the accrual of the interest comprehended by this subdivision, shall be upon the person who claims to be entitled to the protection and exemption afforded hereby.

§ 5. The state finance law is amended by adding a new section 97-bbbbb to read as follows:

§ 97-bbbbb. New York distilled spirits and wine industry marketing and promotion fund. 1. There is hereby established in the joint custody of the commissioner of taxation and finance and the state comptroller a special fund to be known as the "New York distilled spirits and wine industry marketing fund". As used in this section, the term "the fund" shall mean the New York distilled spirits and wine industry marketing fund established pursuant to this section.

2. (a) The fund shall consist of twenty-five percent of all revenues received pursuant to subdivision five of section sixty-six of the alcoholic beverage control law, and all other money appropriated, credited or transferred thereto from any other fund or source pursuant to law. Nothing contained in this section shall prevent the state from receiving grants, gifts or bequests for the purposes of the fund and depositing them into the fund according to law.

(b) On or before the first day of February each year, the comptroller shall certify to the governor, temporary president of the senate, speaker of the assembly, chair of the senate finance committee, and chair of the assembly ways and means committee, the amount of money deposited into the fund during the preceding calendar year as the result of revenue derived pursuant to subdivision five of section sixty-six of the alcoholic beverage control law and from grants, gifts and bequests.

(c) On or before the first day of February each year, the commissioner of economic development shall provide a written report to the temporary president of the senate, speaker of the assembly, chair of the senate finance committee, chair of the assembly ways and means committee, chair of the senate investigations and government operations committee, chair of the senate agriculture committee, chair of the senate commerce, economic development and small business committee, chair of the assembly economic development, job creation, commerce and industry committee, chair of the assembly agriculture committee, the state comptroller, and the public. Such report shall include how the moneys of the fund were utilized during the preceding calendar year including expenditures for all promotional and marketing activity.

3. Moneys for the fund shall be expended only for the marketing and promotional campaigns and education projects on behalf of New York produced distilled spirits and wine that are approved by the commissioner of economic development.

4. Moneys shall be payable from the fund on the audit and warrant of the comptroller on vouchers approved and certified by the commissioner of economic development.

5. To the extent practicable, the commissioner of economic development shall ensure that all moneys received by the fund during a fiscal year are expended prior to the end of the fiscal year.

§ 6. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.