§ 151. Penalties for cashing public assistance checks or accepting electronic benefit transfers from public assistance recipients. 1. Unauthorized transactions. Except as otherwise provided in subdivision two of this section, no person, firm, establishment, entity, or corporation (a) licensed under the provisions of the alcoholic beverage control law to sell liquor and/or wine at retail for off-premises consumption; (b) licensed to sell beer at wholesale and also authorized to sell beer at retail for off-premises consumption; (c) licensed or authorized to conduct pari-mutuel wagering activity under the racing, pari-mutuel wagering and breeding law; (d) licensed to participate in charitable gaming under article fourteen-H of the general municipal law; (e) licensed to participate in the operation of a video lottery facility under section one thousand six hundred seventeen-a of the tax law; (f) licensed to operate a gaming facility under section one thousand three hundred eleven of the racing, pari-mutuel wagering and breeding law; or (g) providing adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment, or making available the venue in which performers disrobe or perform in an unclothed state for entertainment, shall cash or accept any public assistance check or electronic benefit transfer device issued by a public welfare official or department, or agent thereof, as and for public assistance.

2. Authorized transactions. (a) A grocery store that sells groceries including staple foods and that also offers, or is located within the same building or complex as, a casino, gambling casino, or gaming establishment; and any area of a pari-mutuel race track that does not accept wagers and is not open to the public or to unauthorized personnel, such as non-wagering areas of the backstretch, may accept any public assistance check or electronic benefit transfer issued by a public welfare official or department, or agent thereof. For purposes of this paragraph, "gaming establishment" shall mean any video lottery facility, off-track betting branch office, simulcast facility, licensed commercial charitable gaming facility, or any pari-mutuel race track.

(b) Any establishment that offers gambling incidental to the principal purpose of the business at such location may accept any public assistance check or electronic benefit transfer device issued by a public welfare official or department, or agent thereof.

3. Penalties. (a) A violation of the provisions of subdivision one of this section taking place at the licensed premises by a person, corporation or entity licensed under the alcoholic beverage control law: (i) to sell liquor and/or wine at retail for off-premises consumption; (ii) to sell beer at wholesale and also authorized to sell beer at retail for off-premises consumption; or (iii) to sell liquor, wine and/or beer for on-premises consumption at an establishment where entertainers appear unclothed as permitted by the rules of the state liquor authority, shall constitute cause, for the purposes of section one hundred eighteen of the alcoholic beverage control law, for the revocation, cancellation or suspension of such license.

(b) A violation of the provisions of subdivision one of this section by any person, corporation or entity licensed to operate a gaming facility under section one thousand three hundred eleven of the racing, pari-mutuel wagering and breeding law; licensed under section one thousand six hundred seventeen-a of the tax law to participate in the operation of a video lottery facility; licensed or authorized to conduct pari-mutuel wagering under the racing, pari-mutuel wagering and breeding law; or licensed to participate in charitable gaming under article fourteen-H of the general municipal law, shall subject such person, corporation or entity to disciplinary action pursuant to section one hundred four of the racing, pari-mutuel wagering and breeding law and section one thousand six hundred seven of the tax law, which may include revocation, cancellation or suspension of such license or authorization.

(c) A violation of the provisions of subdivision one of this section by any person, firm, establishment, entity or corporation providing adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment, or making available the venue in which performers disrobe or perform in an unclothed state for entertainment, shall be a violation, as defined in subdivision three of section 10.00 of the penal law, subject to a fine of not more than one hundred dollars, a second such violation shall be a violation subject to a fine of not more than five hundred dollars, and a third or subsequent such violation shall be class B misdemeanor subject to a fine of not more than one thousand dollars.