

# STATE OF NEW YORK

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S. 9005

A. 10005

## SENATE - ASSEMBLY

January 21, 2026

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IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means

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41

### PART N

42 Section 1. Section 5 of chapter 396 of the laws of 2010 amending the  
43 alcoholic beverage control law relating to liquidator's permits and  
44 temporary retail permits, as amended by section 1 of part Q of chapter  
45 55 of the laws of 2025, is amended to read as follows:

46 § 5. This act shall take effect on the sixtieth day after it shall  
47 have become a law, provided that paragraph (b) of subdivision 1 of  
48 section 97-a of the alcoholic beverage control law as added by section  
49 two of this act shall expire and be deemed repealed October 12, [2026]  
50 2027.

51 § 2. This act shall take effect immediately.

52

### PART O

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

12

## SUBPART A

13 Section 1. Subdivision 6 of section 97-a of the alcoholic beverage  
14 control law, as added by chapter 396 of the laws of 2010, is amended to  
15 read as follows:

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

27 § 2. This act shall take effect immediately.

28

## SUBPART B

29 Section 1. Paragraph (c) of subdivision 5 of section 107-a of the  
30 alcoholic beverage control law, as added by chapter 354 of the laws of  
31 2013, is amended to read as follows:

32 (c) No brand or trade name label, or any separate label on the front  
33 or back of the container shall contain:

34 (i) any statement that is false or untrue in any particular manner;

35 (ii) any statement that is disparaging of a competitor's product;

36 (iii) any statement, design, device or representation that is likely  
37 to mislead the consumer; [or]

38 (iv) any statement or claim of health benefits to be derived from  
39 consumption by the consumer[.]; or

40 (v) any statement, design, device, or representation that in the opin-  
41 ion of the authority is intended to appeal to children and/or persons  
42 under twenty-one years of age.

43 § 2. This act shall take effect immediately.

44

## SUBPART C

45 Section 1. Section 57-a of the alcoholic beverage control law, as  
46 amended by chapter 523 of the laws of 2023, is amended to read as  
47 follows:

48 § 57-a. Change in duration of licenses. The liquor authority is  
49 authorized to change the periods during which the licenses authorized by  
50 sections fifty-one, fifty-one-a, fifty-three, fifty-three-a, fifty-four,

1 fifty-four-a, fifty-five and fifty-five-a of this article shall be  
2 effective and to establish the commencement dates, duration and expira-  
3 tion dates thereof, provided that no such license shall be effective for  
4 a period in excess of three years. When any change or changes are made  
5 in the duration of any such license, the license fee shall be equal to  
6 the annual license fee specified in this article multiplied by the  
7 number of years for which such license is issued. The liquor authority  
8 may make such rules as shall be appropriate to carry out the purpose of  
9 this section.

10 § 2. This act shall take effect immediately.

11 SUBPART D

12 Section 1. Paragraph (a) of subdivision 2 of section 101-b of the  
13 alcoholic beverage control law, as amended by chapter 669 of the laws of  
14 1989, is amended to read as follows:

15 (a) to discriminate, directly or indirectly, in price, in discounts  
16 for time of payment or in discounts on quantity of merchandise sold,  
17 between one wholesaler and another wholesaler, or between one retailer  
18 and another retailer purchasing liquor or wine bearing the same brand or  
19 trade name and of like age and quality, except that manufacturers and  
20 wholesalers may utilize "channel pricing" by filing different prices  
21 and/or quantity discounts for on-premises retailers and off-premises  
22 retailers;

23 § 2. Section 101-b of the alcoholic beverage control law is amended by  
24 adding a new subdivision 1-a to read as follows:

25 1-a. "Channel pricing" is allowed for manufacturers and wholesalers  
26 when determining prices for sales of the same liquor and/or wine to  
27 retailers in different channels. For purposes of this section, manufac-  
28 turers and wholesalers can utilize different prices for retail licensees  
29 who hold:

30 (a) an on-premises retail license issued pursuant to sections sixty-  
31 four, sixty-four-a, sixty-four-b, sixty-four-c, sixty-four-d, sixty-  
32 four-e, sixty-four-f or eighty-one of this chapter; or

33 (b) an off-premises retail license issued pursuant to sections sixty-  
34 three or seventy-nine of this chapter.

35 § 3. Subdivision 7-a of section 3 of the alcoholic beverage control  
36 law is amended by adding a new paragraph (c) to read as follows:

37 (c) "Channel pricing" shall mean the sale of liquor or wine at differ-  
38 ent prices based solely upon whether the retail licensee holds:

39 (i) an on-premises retail license; or

40 (ii) an off-premises retail license. If a manufacturer or wholesaler  
41 employs channel pricing, such pricing and quantity discounts shall be  
42 made equally available to all similarly situated on-premises and off-  
43 premises retail licensees within the same calendar month. Retailers who  
44 own multiple licensed premises must continue to ensure that all alcohol-  
45 ic beverage purchases are made individually by each retail licensed  
46 premises except for retail-to-retail purchases made pursuant to subdivi-  
47 sion two-b of section one hundred six of this chapter, or centralized  
48 bookkeeping authorized purchases pursuant to subdivision twelve of  
49 section one hundred six of this chapter.

50 § 4. Paragraph (b) of subdivision 3 of paragraph 101-b of the alcohol-  
51 ic beverage control law, as amended by section 1 of part E of chapter 56  
52 of the laws of 2006, is amended to read as follows:

53 (b) No brand of liquor or wine shall be sold to or purchased by a  
54 retailer unless a schedule, as provided by this section, is transmitted

1 to and received by the liquor authority, and is then in effect. Such  
2 schedule shall be transmitted to the authority in such form, manner,  
3 medium and format as the authority may direct; shall be deemed duly  
4 verified by the person submitting such schedule upon its transmission to  
5 the authority; and shall contain, with respect to each item, the exact  
6 brand or trade name, capacity of package, nature of contents, age and  
7 proof where stated on the label, the number of bottles contained in each  
8 case, the bottle and case price to retailers, the net bottle and case  
9 price paid by the seller, which prices, in each instance, shall be indi-  
10 vidual for each item and not in "combination" with any other item, the  
11 discounts for quantity, if any, and the discounts for time of payment,  
12 if any, except that mix and match quantity discounts may be price posted  
13 to liquor and/or wine to retailers for multiple fanciful names, varie-  
14 tals, vintages, years, and/or ages of liquor and/or wine manufactured by  
15 the same manufacturer and featuring the same brand name on the front  
16 label and are posted at the same front line case or bottle price, enabl-  
17 ing retailers to choose from multiple cases or bottles of said multiple  
18 fanciful names, varietals, vintages, years, and/or ages of liquor and/or  
19 wine featuring the same brand name on the front label to add up to a  
20 combined quantity discount level so long as all such brand items are  
21 price posted with the same quantity discount level available in that  
22 given month. Such brand of liquor or wine shall not be sold to retailers  
23 except at the price and discounts then in effect unless prior written  
24 permission of the authority is granted for good cause shown and for  
25 reasons not inconsistent with the purpose of this chapter. Such schedule  
26 shall be transmitted by each manufacturer selling such brand to retail-  
27 ers and by each wholesaler selling such brand to retailers.

28 § 5. This act shall take effect on the one hundred eightieth day after  
29 it shall have become a law and shall apply to all price postings  
30 required to be filed on or after the effective date of this act. Effec-  
31 tive immediately, the addition, amendment and/or repeal of any rule or  
32 regulation necessary for the implementation of this act on its effective  
33 date are authorized to be made and completed on or before such effective  
34 date.

35

## SUBPART E

36 Section 1. Subdivision 1 of section 102 of the alcoholic beverage  
37 control law, as amended by chapter 242 of the laws of 1970, paragraphs  
38 (a), (b) and (c) as amended and paragraph (d) as relettered by chapter  
39 210 of the laws of 2005, is amended to read as follows:

40 1. (a) Except as provided in [section] sections thirty-five, fifty-  
41 nine-b, sixty-eight, seventy-nine-c, ninety-four or ninety-six of this  
42 chapter, no alcoholic beverages shall be shipped into the state unless  
43 the same shall be consigned to a person duly licensed hereunder to traf-  
44 fic in alcoholic beverages. This prohibition shall apply to all ship-  
45 ments of alcoholic beverages into New York state and includes importa-  
46 tion or distribution for commercial purposes, for personal use, or  
47 otherwise, and irrespective of whether such alcoholic beverages were  
48 purchased within or without the state, provided, however, this prohibi-  
49 tion shall not apply to any shipment consigned to a New York resident  
50 who has personally purchased alcoholic beverages for [his] personal use  
51 while outside the United States for a minimum period of forty-eight  
52 consecutive hours and which [he] such person has shipped as consignor to  
53 [himself] themselves as consignee. Purchases made outside the United  
54 States by persons other than the purchaser [himself] themselves, regard-



1 less whether made as [his] such person's agent, or by [his] their  
2 authorization or on [his] their behalf, are deemed not to have been  
3 personally purchased within the meaning of this paragraph. Violations of  
4 this subdivision are punishable as a class E felony.

5 (b) Except as provided in [section] sections thirty-five,  
6 fifty-nine-b, sixty-eight, seventy-nine-c, ninety-four or ninety-six of  
7 this chapter, no common carrier or other person shall bring or carry  
8 into the state any alcoholic beverages, unless the same shall be  
9 consigned to a person duly licensed hereunder to traffic in alcoholic  
10 beverages, provided, however, that alcoholic beverages may be delivered  
11 by a trucking permittee from a steamship or railroad station or terminal  
12 to a New York resident who has personally purchased alcoholic beverages  
13 for [his] personal use while outside the United States for a minimum  
14 period of forty-eight consecutive hours, and which [he] such person has  
15 shipped as consignor to [himself] themselves as consignee, and except as  
16 so stated, no trucking permittee shall accept for delivery, deliver or  
17 transport from a steamship or railroad station or terminal any shipment  
18 of alcoholic beverages consigned to a non-licensed person having [his]  
19 their home or business in New York state. Purchases of alcoholic bever-  
20 ages made outside the United States by persons other than the purchaser  
21 [himself] themselves, regardless whether made as [his] their agent, or by  
22 [his] their authorization or on [his] their behalf, are deemed not to  
23 have been personally purchased within the meaning of this paragraph.

24 (c) Paragraphs (a) and (b) of this subdivision shall apply to alcohol-  
25 ic beverages, either in the original package or otherwise, whether  
26 intended for commercial or personal use, as well as otherwise, and to  
27 foreign, interstate, as well as intrastate, shipments or carriage, irre-  
28 spective of whether such alcoholic beverages were purchased within or  
29 without the state.

30 (d) Nothing in this chapter shall be deemed to exempt from taxation  
31 the sale or use of any alcoholic beverages subject to any tax imposed  
32 under or pursuant to the authority of the tax law or to grant any other  
33 exemption from the provisions of such law.

34 § 2. Section 94 of the alcoholic beverage control law is amended by  
35 adding six new subdivisions 4, 5, 6, 7, 8 and 9 to read as follows:

36 4. No trucking permittee shall make deliveries of alcoholic beverages  
37 to a non-licensed person in New York state except as provided for in  
38 sections thirty-five, thirty-six, fifty-nine-b, fifty-nine-c, sixty-  
39 eight, sixty-nine, seventy-nine-c, seventy-nine-d or ninety-six of this  
40 chapter, or on behalf of a retail licensee licensed pursuant to this  
41 chapter.

42 5. No trucking permittee shall make deliveries of alcoholic beverages  
43 to a non-licensed person unless the driver and/or delivery staff shall  
44 have successfully completed alcohol training and awareness program  
45 (ATAP) training and hold a valid certificate issued by an approved ATAP  
46 school pursuant to subdivision twelve of section seventeen or subdivi-  
47 sion ten of section eighteen of this chapter.

48 6. Trucking permittees shall in connection with the acceptance of any  
49 order for a delivery of alcoholic beverages to a non-licensed person in  
50 New York:

51 (a) require the non-licensed person to represent that they have  
52 attained the age of twenty-one years or more by providing a valid form  
53 of photographic identification authorized by section sixty-five-b of  
54 this chapter; and

1 (b) require the non-licensed person to sign an electronic or paper  
2 form or other acknowledgement of receipt as approved by the authority;  
3 and

4 (c) certify that the alcoholic beverages being purchased will not be  
5 resold or introduced back into the stream of commerce; and

6 (d) refuse delivery when the proposed recipient appears to be under  
7 twenty-one years of age and/or refuses to present valid identification  
8 as required by subparagraph (a) of this paragraph.

9 7. Trucking permittees shall report twice annually to the authority in  
10 such manner and form as the authority may direct, the total amount of  
11 alcoholic beverages shipped to non-licensed persons in New York during  
12 the reporting period, the names and addresses of the non-licensed  
13 persons to whom the alcoholic beverages were shipped, the date of deliv-  
14 ery, the name and license number of the licensee on whose behalf the  
15 alcoholic beverages were delivered, and the quantity and value of each  
16 shipment.

17 8. The authority and the department of taxation and finance may  
18 promulgate rules and regulations necessary to effectuate the purposes  
19 of this section.

20 9. The authority may enforce the requirements of this section by  
21 administrative proceedings to suspend or revoke a trucking permit and  
22 the authority may accept payment of an administrative fine in lieu of  
23 suspension. In addition, the authority or the attorney general of the  
24 state of New York shall report violations of this section, where appro-  
25 priate, to the department of taxation and finance, to other state  
26 licensing authorities, and/or the United States department of treas-  
27 ury, tax and trade bureau, for administrative action to suspend or  
28 revoke the federal basic permit.

29 § 3. Section 96 of the alcoholic beverage control law is amended by  
30 adding three new subdivisions 4, 5 and 6 to read as follows:

31 4. Any person holding a valid warehouse permit pursuant to this  
32 section may apply to the authority for an additional permit to operate  
33 as a fulfillment warehouse. The fulfillment warehouse permit holder may  
34 package and ship alcoholic beverages sold by licensed New York retailers  
35 and/or New York manufacturers and/or direct shipper licensees to non-li-  
36 censed persons within this state. The fee for a fulfillment warehouse  
37 permit shall be two thousand one hundred dollars for three years.

38 (a) Fulfillment warehouses shall report twice annually to the New York  
39 State liquor authority in such manner and form as the authority may  
40 direct:

41 (i) a current list of all licensed retailers, licensed manufacturers,  
42 licensed wholesalers, and direct shipper licensees on whose behalf the  
43 fulfillment warehouse ships or allows to be shipped alcoholic beverages  
44 to non-licensed persons in this state; and

45 (ii) the total gallons of each type of alcoholic beverages shipped to  
46 non-licensed persons from the fulfillment warehouse during the reporting  
47 period, categorized in accordance with the state's tax classification  
48 for alcoholic beverages; and

49 (iii) the name, business address, and license number of each licensed  
50 retailer and direct shipper on whose behalf the fulfillment warehouse  
51 packages or ships or allows to be shipped alcoholic beverages to non-li-  
52 censed persons in this state, with each licensee's name stated as it  
53 appears on the retailer's or direct shipper's license; and

54 (iv) the names and addresses of the non-licensed persons to whom the  
55 alcoholic beverages were shipped, the date of delivery, the name and  
56 license number of the retailer or direct shipper licensee on whose

1 behalf the alcoholic beverages were delivered, and the quantity and  
2 value of each shipment.

3 (b) A fulfillment warehouse may ship alcoholic beverages to a non-li-  
4 censed person within this state only if the package containing the alco-  
5 holic beverages is conspicuously labeled with the words "CONTAINS ALCO-  
6 HOLIC BEVERAGES - SIGNATURE OF PERSON AGE 21 OR OLDER REQUIRED FOR  
7 DELIVERY - NOT FOR RESALE", or with other language specifically approved  
8 by the New York State liquor authority, and clearly indicates on the  
9 shipping label the name and address of the fulfillment warehouse as well  
10 as the name and address of the non-licensed person within this state as  
11 the intended recipient; and the name and license number of the licensed  
12 retailer or direct shipper licensee that provided the alcoholic beverage  
13 is to the fulfillment warehouse; and the shipment is authorized under  
14 this chapter.

15 5. The authority and the department of taxation and finance may  
16 promulgate rules and regulations to effectuate the purposes of this  
17 section.

18 6. The authority may enforce the requirements of this section, by  
19 administrative proceedings to suspend or revoke a warehouse permit or  
20 fulfillment warehouse permit and the authority may accept payment of an  
21 administrative fine in lieu of suspension. In addition, the authority or  
22 the attorney general of the state of New York shall report violations of  
23 this section, where appropriate, to the New York State department of  
24 taxation and finance, to other state licensing authorities, and/or the  
25 United States department of treasury, tax and trade bureau, for  
26 administrative action to suspend or revoke the federal basic permit.

27 § 4. Paragraph (d) of subdivision 3 of section 35 of the alcoholic  
28 beverage control law, as added by chapter 226 of the laws of 2024, is  
29 amended to read as follows:

30 (d) shall [maintain records] report twice annually to the New York  
31 State liquor authority in such manner and form as the authority may  
32 direct, showing the total amount of mead and/or braggot shipped into the  
33 state each calendar year; the names and addresses of the purchasers to  
34 whom the mead and/or braggot was shipped, the date purchased, the name  
35 of the common carrier used to deliver the mead and/or braggot, and the  
36 quantity and value of each shipment;

37 § 5. Paragraph (d) of subdivision 3 of section 59-b of the alcoholic  
38 beverage control law, as added by chapter 226 of the laws of 2024, is  
39 amended to read as follows:

40 (d) shall [maintain records] report twice annually to the New York  
41 State liquor authority in such manner and form as the authority may  
42 direct, showing the total amount of cider shipped into the state each  
43 calendar year; the names and addresses of the purchasers to whom the  
44 cider was shipped, the date purchased, the name of the common carrier  
45 used to deliver the cider, and the quantity and value of each shipment;

46 § 6. Paragraph (d) of subdivision 3 of section 68 of the alcoholic  
47 beverage control law, as added by chapter 226 of the laws of 2024, is  
48 amended to read as follows:

49 (d) shall [maintain records] report twice annually to the New York  
50 State liquor authority in such manner and form as the authority may  
51 direct, showing the total amount of liquor shipped into the state each  
52 calendar year; the names and addresses of the purchasers to whom the  
53 liquor was shipped, the date purchased, the name of the common carrier  
54 used to deliver the liquor, and the quantity and value of each shipment;

1 § 7. Paragraph (d) of subdivision 3 of section 79-c of the alcoholic  
2 beverage control law, as amended by chapter 226 of the laws of 2024, is  
3 amended to read as follows:

4 (d) shall [maintain records] report twice annually to the New York  
5 State liquor authority in such manner and form as the authority may  
6 direct, showing the total amount of wine shipped into the state each  
7 calendar year; the names and addresses of the purchasers to whom the  
8 wine was shipped, the date purchased, the name of the common carrier  
9 used to deliver the wine, and the quantity and value of each shipment;

10 § 8. This act shall take effect on the one hundred eightieth day after  
11 it shall have become a law.

12

## SUBPART F

13 Section 1. Section 5 of part CC of chapter 55 of the laws of 2024  
14 amending the alcoholic beverage control law, relating to alcohol in  
15 certain motion picture theatres, is amended to read as follows:

16 § 5. This act shall take effect immediately [and shall expire and be  
17 deemed repealed 3 years after such date].

18 § 2. This act shall take effect immediately.

19

## SUBPART G

20 Section 1. Subdivision 9 of section 106 of the alcoholic beverage  
21 control law is REPEALED.

22 § 2. This act shall take effect immediately.

23

## SUBPART H

24 Section 1. Subdivision 6 of section 64-a of the alcoholic beverage  
25 control law, as amended by section 2 of part CC of chapter 55 of the  
26 laws of 2024, is amended to read as follows:

27 6. No special on-premises license shall be granted except for premises  
28 in which the principal business shall be (a) the sale of food or bever-  
29 ages at retail for consumption on the premises [or], (b) the operation  
30 of a legitimate theatre, including a motion picture theatre that is a  
31 building or facility which is regularly used and kept open primarily for  
32 the exhibition of motion pictures for at least five out of seven days a  
33 week, or on a regular seasonal basis of no less than six contiguous  
34 weeks, to the general public where all auditorium seating is permanently  
35 affixed to the floor and at least sixty-five percent of the motion  
36 picture theatre's annual gross revenues is the combined result of admis-  
37 sion revenue for the showing of motion pictures and the sale of food and  
38 non-alcoholic beverages, (c) a bona-fide hotel, or such other lawful  
39 adult entertainment or recreational facility as the liquor authority,  
40 giving due regard to the convenience of the public and the strict avoid-  
41 ance of sales prohibited by this chapter, shall by regulation classify  
42 for eligibility.

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

48

## SUBPART I

1 Section 1. Section 51 of the alcoholic beverage control law is amended  
2 by adding a new subdivision 5-b to read as follows:

3 5-b. (a) A brewer licensed pursuant to this section that qualifies for  
4 the micro-brewery fee pursuant to section fifty-six of this article may,  
5 at the licensed premises, sell at retail for consumption on or off the  
6 licensed premises:

7 (i) beer manufactured by the licensee;

8 (ii) New York state labeled beer, wine, cider, spirits and mead manu-  
9 factured by a person licensed to manufacture such product under this  
10 chapter.

11 (b) A micro-brewery licensee may conduct tastings of alcoholic bever-  
12 ages and sell alcoholic beverages at retail for consumption on or off  
13 the licensed premises pursuant to this subdivision; provided, however,  
14 that for tastings and sales for on-premises consumption, the licensee  
15 shall regularly keep food available for sale or service to its retail  
16 customers for consumption on the premises. A licensee providing the  
17 following shall be deemed in compliance with this provision: (i) sand-  
18 wiches, soups or other such foods, whether fresh, processed, pre-cooked  
19 or frozen; and/or (ii) food items intended to complement the tasting of  
20 alcoholic beverages, which shall mean a diversified selection of food  
21 that is ordinarily consumed without the use of tableware and can be  
22 conveniently consumed while standing or walking, including but not  
23 limited to: cheeses, fruits, vegetables, chocolates, breads, mustards  
24 and crackers.

25 (c) A micro-brewery licensee may sell beer manufactured by the licen-  
26 see or any other brewer licensed pursuant to this chapter at retail for  
27 consumption off the premises at the state fair, at recognized county  
28 fairs and at farmers markets operated on a not-for-profit basis, subject  
29 to such rules and regulations as the authority may prescribe.

30 (d) A micro-brewery license shall authorize the holder thereof to  
31 manufacture, bottle and sell food condiments and products such as  
32 mustards, sauces, hop seasonings, beer nuts, and other hops and beer  
33 related foods in addition to beer and to store and sell gift items in a  
34 tax-paid room upon the licensed premises incidental to the sale of beer.  
35 Such gift items shall be limited to the categories authorized for a farm  
36 brewery pursuant to subdivision seven of section fifty-one-a of this  
37 chapter.

38 (e) The holder of a license authorized by this subdivision may operate  
39 up to five branch offices located away from the licensed premises. Such  
40 locations shall be considered part of the licensed premises and all  
41 activities allowed at and limited to the micro-brewery may be conducted  
42 at the branch offices. Such branch offices shall not be located within,  
43 share a common entrance and exit with, or have any interior access to  
44 any other business, including premises licensed to sell alcoholic bever-  
45 ages at retail. Prior to commencing operation of any such branch office,  
46 the licensee shall notify the authority of the location of such branch  
47 office and the authority may issue a permit for the operation of same.

48 § 2. Subdivision 1-a of section 61 of the alcoholic beverage control  
49 law, as amended by chapter 431 of the laws of 2014, is amended to read  
50 as follows:

51 1-a. (a) A class A-1 distiller's license shall authorize the holder  
52 thereof to operate a distillery which has a production capacity of no  
53 more than seventy-five thousand gallons per year for the manufacture of  
54 liquors by distillation or redistillation at the premises specifically  
55 designated in the license. Such a license shall also authorize the sale  
56 in bulk by such licensee from the licensed premises of the products

1 manufactured under such license to any person holding a winery license,  
2 farm winery license, distiller's class A license, a distiller's class B  
3 license or a permittee engaged in the manufacture of products which are  
4 unfit for beverage use. It shall also authorize the sale from the  
5 licensed premises and from one other location in the state of New York  
6 of liquors manufactured by such licensee to a wholesale or retail liquor  
7 licensee or permittee in sealed containers of not more than one quart  
8 each. In addition, it shall authorize such licensee to sell from the  
9 licensed premises New York state labelled liquors to licensed farm  
10 wineries, farm breweries, farm distilleries and farm cideries in sealed  
11 containers of not more than one quart for retail sale for off-premises  
12 consumption. Such license shall also include the privilege to operate a  
13 rectifying plant under the same terms and conditions as the holder of a  
14 class B-1 distiller's license without the payment of any additional fee.

15 (b) A distiller licensed pursuant to this subdivision that qualifies  
16 for the micro-distillery fee pursuant to section sixty-six of this arti-  
17 cle may, at the licensed premises, sell at retail for consumption on or  
18 off the licensed premises:

19 (i) liquor manufactured by the licensee;

20 (ii) New York state labeled beer, wine, cider, spirits and mead manu-  
21 factured by a person licensed to manufacture such product under this  
22 chapter.

23 (c) A micro-distillery licensee may conduct tastings of alcoholic  
24 beverages and sell alcoholic beverages at retail for consumption on or  
25 off the licensed premises pursuant to this subdivision; provided, howev-  
26 er, that for tastings and sales for on-premises consumption, the licen-  
27 see shall regularly keep food available for sale or service to its  
28 retail customers for consumption on the premises. A licensee providing  
29 the following shall be deemed in compliance with this provision: (i)  
30 sandwiches, soups or other such foods, whether fresh, processed, pre-  
31 cooked or frozen; and/or (ii) food items intended to complement the  
32 tasting of alcoholic beverages, which shall mean a diversified selection  
33 of food that is ordinarily consumed without the use of tableware and can  
34 be conveniently consumed while standing or walking, including but not  
35 limited to: cheeses, fruits, vegetables, chocolates, breads, mustards  
36 and crackers.

37 (d) A micro-distillery licensee may sell liquor manufactured by the  
38 licensee or any other distiller licensed pursuant to this chapter at  
39 retail for consumption off the premises at the state fair, at recognized  
40 county fairs and at farmers markets operated on a not-for-profit basis,  
41 subject to such rules and regulations as the authority may prescribe.

42 (e) A micro-distillery license shall authorize the holder thereof to  
43 manufacture, bottle and sell food condiments and products such as nuts,  
44 popcorn, mulling spices and other spirits related food in addition to  
45 other such food and crafts on and from the licensed premises. Such  
46 license shall authorize the holder thereof to store and sell gift items  
47 in a tax-paid room upon the licensed premises incidental to the sale of  
48 liquor. These gift items shall be limited to the following categories:

49 (i) non-alcoholic beverages for consumption on or off premises,  
50 including but not limited to bottled water, juice and soda beverages;

51 (ii) food items for the purpose of complementing liquor tastings,  
52 which shall mean a diversified selection of food that is ordinarily  
53 consumed without the use of tableware and can be conveniently consumed  
54 while standing or walking. Such food items shall include but not be  
55 limited to: cheeses, fruits, vegetables, chocolates, breads, mustards  
56 and crackers;



1 (iii) food items, which shall include locally produced farm products  
2 and any food or food product not specifically prepared for immediate  
3 consumption upon the premises. Such food items may be combined into a  
4 package containing liquor related products;

5 (iv) liquor supplies and accessories, which shall include any item  
6 utilized for the storage, serving or consumption of liquor or for deco-  
7 rative purposes. These supplies may be sold as single items or may be  
8 combined into a package containing liquor;

9 (v) liquor-making equipment and supplies including, but not limited  
10 to, filters, bottling equipment, and books or other written material to  
11 assist spirits makers to produce and bottle liquor; and

12 (vi) souvenir items, which shall include, but not be limited to  
13 artwork, crafts, clothing, agricultural products and any other articles  
14 which can be construed to propagate tourism within the region.

15 (vii) Notwithstanding any provision of law to the contrary, another  
16 business or other businesses may operate on the licensed premises  
17 subject to such rules and regulations as the liquor authority may  
18 prescribe. Such rules and regulations shall determine which businesses  
19 will be compatible with the policy and purposes of this chapter and  
20 shall consider the effect of particular businesses on the community and  
21 area in the vicinity of the micro-distillery premises, provided however  
22 that a retailer business licensed under this chapter shall not be  
23 permitted to operate at a licensed manufacturing premises.

24 (f) The holder of a license authorized by this subdivision may operate  
25 up to five branch offices located away from the licensed premises. Such  
26 locations shall be considered part of the licensed premises and all  
27 activities allowed at and limited to the micro-distillery may be  
28 conducted at the branch offices. Such branch offices shall not be  
29 located within, share a common entrance and exit with, or have any inte-  
30 rior access to any other business, including premises licensed to sell  
31 alcoholic beverages at retail. Prior to commencing operation of any such  
32 branch office, the licensee shall notify the authority of the location  
33 of such branch office and the authority may issue a permit for the oper-  
34 ation of same.

35 § 3. Subdivision 2-b of section 61 of the alcoholic beverage control  
36 law, as amended by chapter 431 of the laws of 2014, is amended to read  
37 as follows:

38 2-b. (a) A class B-1 distiller's license shall authorize the holder  
39 thereof to operate a rectifying plant which has a production capacity of  
40 no more than seventy-five thousand gallons per year for the manufacture  
41 of the products of rectification by purifying or combining alcohol,  
42 spirits, wine, or beer and the manufacture of cordials by the redistil-  
43 lation of alcohol or spirits over or with any materials. Such a license  
44 shall also authorize the holder thereof to blend, reduce proof and  
45 bottle on [his] licensed premises or in a United States customs bonded  
46 warehouse for which a warehouse permit has been issued under this chap-  
47 ter for wholesale liquor licensees or for persons authorized to sell  
48 liquor at wholesale pursuant to the laws and regulation of any other  
49 state, territorial possession of the United States or foreign country  
50 liquor received in bulk by such wholesalers from other states, territo-  
51 rial possessions of the United States or a foreign country, and to  
52 rebottle or recondition for wholesale liquor or wine licensees or for  
53 persons authorized to sell liquor or wine at wholesale pursuant to the  
54 laws and regulations of any other state, territorial possession of the  
55 United States or foreign country, liquor or wine manufactured outside  
56 the state, which was purchased and received by such wholesalers in

1 sealed containers not exceeding one quart each of liquor or fifteen  
2 gallons each of wine. Such a license shall also authorize the sale from  
3 the licensed premises of the products manufactured by such licensee to a  
4 wholesale or retail licensee in sealed containers of not more than one  
5 quart each. In addition, it shall authorize such licensee to sell from  
6 the licensed premises New York state labelled liquors to a farm winery  
7 licensee in sealed containers of not more than one quart for retail sale  
8 for off-premises consumption.

9 (b) A distiller licensed pursuant to this subdivision that qualifies  
10 for the micro-rectifier fee pursuant to section sixty-six of this arti-  
11 cle may, at the licensed premises, sell at retail for consumption on or  
12 off the licensed premises:

13 (i) liquor manufactured by the licensee;

14 (ii) New York state labeled beer, wine, cider, spirits and mead manu-  
15 factured by a person licensed to manufacture such product under this  
16 chapter.

17 (c) A micro-rectifier licensee may conduct tastings of alcoholic  
18 beverages and sell alcoholic beverages at retail for consumption on or  
19 off the licensed premises pursuant to this subdivision; provided, howev-  
20 er, that for tastings and sales for on-premises consumption, the licen-  
21 see shall regularly keep food available for sale or service to its  
22 retail customers for consumption on the premises. A licensee providing  
23 the following shall be deemed in compliance with this provision: (i)  
24 sandwiches, soups or other such foods, whether fresh, processed, pre-  
25 cooked or frozen; and/or (ii) food items intended to complement the  
26 tasting of alcoholic beverages, which shall mean a diversified selection  
27 of food that is ordinarily consumed without the use of tableware and can  
28 be conveniently consumed while standing or walking, including but not  
29 limited to: cheeses, fruits, vegetables, chocolates, breads, mustards  
30 and crackers.

31 (d) A micro-rectifier licensee may sell liquor manufactured by the  
32 licensee or any other distiller licensed pursuant to this chapter at  
33 retail for consumption off the premises at the state fair, at recognized  
34 county fairs and at farmers markets operated on a not-for-profit basis,  
35 subject to such rules and regulations as the authority may prescribe.

36 (e) A micro-rectifier license shall authorize the holder thereof to  
37 manufacture, bottle and sell food condiments and products such as nuts,  
38 popcorn, mulling spices and other spirits related food in addition to  
39 other such food and crafts on and from the licensed premises. Such  
40 license shall authorize the holder thereof to store and sell gift items  
41 in a tax-paid room upon the licensed premises incidental to the sale of  
42 liquor. These gift items shall be limited to the following categories:

43 (i) non-alcoholic beverages for consumption on or off premises,  
44 including but not limited to bottled water, juice and soda beverages;

45 (ii) food items for the purpose of complementing liquor tastings,  
46 which shall mean a diversified selection of food that is ordinarily  
47 consumed without the use of tableware and can be conveniently consumed  
48 while standing or walking. Such food items shall include but not be  
49 limited to: cheeses, fruits, vegetables, chocolates, breads, mustards  
50 and crackers;

51 (iii) food items, which shall include locally produced farm products  
52 and any food or food product not specifically prepared for immediate  
53 consumption upon the premises. Such food items may be combined into a  
54 package containing liquor related products;

55 (iv) liquor supplies and accessories, which shall include any item  
56 utilized for the storage, serving or consumption of liquor or for deco-

1 rative purposes. These supplies may be sold as single items or may be  
2 combined into a package containing liquor;

3 (v) liquor-making equipment and supplies including, but not limited  
4 to, filters, bottling equipment, and books or other written material to  
5 assist spirits makers to produce and bottle liquor; and

6 (vi) souvenir items, which shall include, but not be limited to  
7 artwork, crafts, clothing, agricultural products and any other articles  
8 which can be construed to propagate tourism within the region.

9 (vii) Notwithstanding any provision of law to the contrary, another  
10 business or other businesses may operate on the licensed premises  
11 subject to such rules and regulations as the liquor authority may  
12 prescribe. Such rules and regulations shall determine which businesses  
13 will be compatible with the policy and purposes of this chapter and  
14 shall consider the effect of particular businesses on the community and  
15 area in the vicinity of the micro distillery premises, provided however  
16 that a retailer business licensed under this chapter shall not be  
17 permitted to operate at a licensed manufacturing premises.

18 (f) The holder of a license authorized by this subdivision may operate  
19 up to five branch offices located away from the licensed premises. Such  
20 locations shall be considered part of the licensed premises and all  
21 activities allowed at and limited to the micro-distillery may be  
22 conducted at the branch offices. Such branch offices shall not be  
23 located within, share a common entrance and exit with, or have any inte-  
24 rior access to any other business, including premises licensed to sell  
25 alcoholic beverages at retail. Prior to commencing operation of any such  
26 branch office, the licensee shall notify the authority of the location  
27 of such branch office and the authority may issue a permit for the oper-  
28 ation of same.

29 § 4. Paragraph (g) of subdivision 2-c of section 61 of the alcoholic  
30 beverage control law, as added by chapter 431 of the laws of 2014, is  
31 amended to read as follows:

32 (g) The holder of a license issued under this subdivision may operate  
33 up to [one] five branch [office] offices located away from the licensed  
34 farm distillery. Such [location] locations shall be considered part of  
35 the licensed premises and all activities allowed at and limited to the  
36 farm distillery may be conducted at the branch [office] offices. Such  
37 branch [office] offices shall not be located within, share a common  
38 entrance and exit with, or have any interior access to any other busi-  
39 ness, including premises licensed to sell alcoholic beverages at retail.  
40 Prior to commencing operation of any such branch [office] offices, the  
41 licensee shall notify the authority of the location of such branch  
42 [office] offices and the authority may issue a permit for the operation  
43 of same.

44 § 5. This act shall take effect immediately.

45

#### SUBPART J

46 Section 1. Section 104 of the alcoholic beverage control law is  
47 amended by adding a new subdivision 12 to read as follows:

48 12. Notwithstanding any provision of law to the contrary, no whole-  
49 saler shall assess any fee, including but not limited to fees for stor-  
50 age, interest, collections, attorneys, split cases, breakage and deliv-  
51 ery, upon any New York state licensed retailer other than the purchase  
52 price of alcoholic beverages, provided, however, that the authority may,  
53 by rule or regulation, permit the assessment of one or more categories

1 of fees or charges and may impose such limitations, conditions, and  
2 record keeping requirements it deems appropriate.

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

8

## SUBPART K

9 Section 1. The opening paragraph of paragraph (a) of subdivision 1 of  
10 section 101 of the alcoholic beverage control law, as amended by chapter  
11 318 of the laws of 2016, is amended to read as follows:

12 Be interested directly or indirectly in any premises where any alco-  
13 holic beverage is sold at retail; or in any business devoted wholly or  
14 partially to the sale of any alcoholic beverage at retail by stock  
15 ownership, interlocking directors, mortgage or lien or any personal or  
16 real property, or by any other means, except that nothing in this  
17 section shall prohibit a licensed manufacturer or any owner of any out-  
18 of-state premises where liquors, wines, or beer are manufactured from  
19 owning up to three licensed retail premises for on-premises consumption  
20 where such manufacturer is owned by the same person or corporate entity  
21 as such retailer or retailers and where such retailer or retailers  
22 utilize a substantially similar corporate name and/or d/b/a as the  
23 manufacturer. For purposes of this chapter, said licensed manufacturer  
24 or owner of any out-of-state premises where liquors, wines, or beer are  
25 manufactured shall be deemed to be owned by the same corporate entity as  
26 such retailer or retailers if a majority of each class of stock of each  
27 such corporation is owned by the same person. The provisions of this  
28 paragraph shall not apply to

29 § 2. Paragraph (e) of subdivision 1 of section 101 of the alcoholic  
30 beverage control law, as added by chapter 557 of the laws of 1964, is  
31 amended to read as follows:

32 (e) The prohibitions and restrictions contained in paragraphs [b, c  
33 and d above] (b), (c) and (d) of this subdivision shall not apply to any  
34 contractual arrangements between a licensed manufacturer [or wholesaler]  
35 or any owner of any out-of-state premises where liquors, wines, or beer  
36 are manufactured and [a] up to three licensed [retailer] retail premises  
37 for on-premises consumption where such manufacturer [or wholesaler has  
38 made a substantial investment, directly or through such retailer, in the  
39 construction, capitalization or furnishing of any exhibit, facility or  
40 installation in the area leased by the city of New York to New York  
41 World's Fair 1964-1965 Corporation, pursuant to chapter four hundred  
42 twenty-eight of the laws of nineteen hundred sixty, as amended, and such  
43 retailer is conducting his business as a part of such exhibit or instal-  
44 lation or is responsible to such corporation for the construction, oper-  
45 ation or maintenance of such exhibit, facility or installation. This  
46 modification to the prohibitions and restrictions contained in this  
47 paragraph shall continue until November first, nineteen hundred sixty-  
48 five] is owned by the same person or corporate entity as such retailer  
49 or retailers.

50 § 3. The opening paragraph of paragraph (a) of subdivision 13 of  
51 section 106 of the alcoholic beverage control law, as amended by chapter  
52 453 of the laws of 2018, is amended to read as follows:

53 No retail licensee for on-premises consumption shall be interested,  
54 directly or indirectly, in any premises where liquors, wines or beer are



1 manufactured or sold at wholesale, by stock ownership, interlocking  
2 directors, mortgage or lien on any personal or real property or by any  
3 other means, except that nothing shall prohibit a licensed manufacturer  
4 or any owner of any out-of-state premises where liquors, wines, or beer  
5 are manufactured, from holding up to three licensed retail premises for  
6 on-premises consumption where such manufacturer is owned by the same  
7 person or corporate entity as such retailer or retailers, and except  
8 that liquors, wines or beer may be manufactured or sold wholesale by the  
9 person licensed as a manufacturer or wholesaler thereof:

10 § 4. This act shall take effect on the ninetieth day after it shall  
11 have become a law.

12 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-  
13 sion, section or part of this act shall be adjudged by any court of  
14 competent jurisdiction to be invalid, such judgment shall not affect,  
15 impair, or invalidate the remainder thereof, but shall be confined in  
16 its operation to the clause, sentence, paragraph, subdivision, section  
17 or part thereof directly involved in the controversy in which such judg-  
18 ment shall have been rendered. It is hereby declared to be the intent of  
19 the legislature that this act would have been enacted even if such  
20 invalid provisions had not been included herein.

21 § 3. This act shall take effect immediately provided, however, that  
22 the applicable effective date of Subparts A through K of this part shall  
23 be as specifically set forth in the last section of such Subparts.

24

## PART P

25 Section 1. This act enacts into law components of legislation relating  
26 to alcoholic beverage licensing. Each component is wholly contained  
27 within a Part identified as Subparts A through H. The effective date for  
28 each particular provision contained within such Subpart is set forth in  
29 the last section of such Subpart. Any provision in any section  
30 contained within a Subpart, including the effective date of the Subpart,  
31 which makes reference to a section "of this act", when used in  
32 connection with that particular component, shall be deemed to mean and  
33 refer to the corresponding section of the Subpart in which it is found.  
34 Section three of this act sets forth the general effective date of this  
35 act.

36

## SUBPART A

37 Section 1. The alcoholic beverage control law is amended by adding a  
38 new section 64-g to read as follows:

39 § 64-g. License to sell liquor on premises at an adult care facility.

40 1. Any adult care facility licensed by the department of health may make  
41 an application to the state liquor authority for an adult care facility  
42 license.

43 2. Such application shall be in such form and shall contain such  
44 information as shall be required by the liquor authority and shall be  
45 accompanied by a check or draft in the amount required by this article  
46 for such license.

47 3. Section fifty-four of this chapter shall control so far as applica-  
48 ble to the procedure in connection with such application.

49 4. Such adult care facility license shall in form and in substance be  
50 a license to the adult care facility to operate one or more food and  
51 drinking establishments on its premises as defined by article  
52 forty-six-B of the public health law. Such license shall also be deemed



1 to include a license to sell liquor, wine, beer, cider, mead and/or  
2 braggot at retail for consumption on its premises so licensed exclusive-  
3 ly to residents and guests of residents of the adult care facility, and  
4 also to sell alcoholic beverages for service on its premises for resi-  
5 dents and guests of residents in areas designated by the applicant for  
6 alcoholic beverage consumption in the manner prescribed by rule or regu-  
7 lation of the authority.

8 5. All of the provisions of this chapter relative to licenses to sell  
9 liquor, wine, beer, cider, mead and/or braggot at retail for consumption  
10 on the premises shall apply as far as applicable to such application.

11 § 2. Section 66 of the alcoholic beverage control law is amended by  
12 adding a new subdivision 11 to read as follows:

13 11. The fee for an original and renewal adult care facility on-premis-  
14 es license shall be five hundred dollars. Such license shall run for a  
15 period of three years. In addition to the license fees provided for in  
16 this subdivision, there shall be paid to the authority with each  
17 original application a filing fee of two hundred dollars and with each  
18 renewal application a filing fee of one hundred dollars.

19 § 3. This act shall take effect on the one hundred eightieth day after  
20 it shall have become a law. Effective immediately, the addition, amend-  
21 ment and/or repeal of any rule or regulation necessary for the implemen-  
22 tation of this act on its effective date are authorized to be made and  
23 completed on or before such effective date.

24

## SUBPART B

25 Section 1. Section 3 of the alcoholic beverage control law is amended  
26 by adding a new subdivision 2-a to read as follows:

27 2-a. "Airline lounge" means and includes any premises located within  
28 an airport and such premises is owned, leased, or operated by a United  
29 States certificated airline which regularly and in a bona fide manner  
30 furnishes provisions and services therein.

31 § 2. Section 106 of the alcoholic beverage control law is amended by  
32 adding a new subdivision 8-a to read as follows:

33 8-a. A license issued for premises being conducted as an airline  
34 lounge shall authorize the holder thereof to provide alcoholic beverages  
35 for on-premises consumption only to persons with lounge access privi-  
36 leges as authorized by the airline. Food shall be made regularly avail-  
37 able to such persons for consumption on the premises. The availability  
38 of sandwiches, soups or other foods, whether fresh, processed, pre-  
39 cooked or frozen, shall be deemed compliance with this requirement. The  
40 licensed premises shall comply at all times with all the regulations of  
41 the local department of health. Nothing contained in this subdivision,  
42 however, shall be construed to require that any food be sold or  
43 purchased with any liquor, nor shall any rule, regulation or standard be  
44 promulgated or enforced requiring that the sale of food be substantial  
45 or that the receipts of the business other than from the sale of liquor  
46 equal any set percentage of total receipts from sales made therein.

47 § 3. This act shall take effect on the one hundred eightieth day after  
48 it shall have become a law. Effective immediately, the addition, amend-  
49 ment and/or repeal of any rule or regulation necessary for the implemen-  
50 tation of this act on its effective date are authorized to be made and  
51 completed on or before such effective date.

52

## SUBPART C

1 Section 1. Section 3 of the alcoholic beverage control law is amended  
2 by adding a new subdivision 7-aa to read as follows:

3 7-aa. "Cafe" means a place which is regularly and in a bona fide  
4 manner open for the service of light fare but not necessarily full  
5 entrees to guests for compensation and featuring adequate food prepara-  
6 tion facilities for keeping of food on said premises in compliance with  
7 all the regulations of the local department of health, and where food is  
8 prepared and served for consumption on the premises in such quantities  
9 as to satisfy the liquor authority that the sale of alcoholic beverages  
10 intended is incidental to and not the prime source of revenue from the  
11 operation of such premises. For the purposes of a cafe, "guests" means  
12 persons who, during the hours when meals are regularly served therein,  
13 come to a cafe for the purpose of obtaining, and actually order and  
14 obtain at such time, in good faith, freshly prepared light fare therein.  
15 Nothing contained in this subdivision shall be construed to require that  
16 any food be sold or purchased with any beverage.

17 § 2. This act shall take effect on the one hundred eightieth day after  
18 it shall have become a law. Effective immediately, the addition, amend-  
19 ment and/or repeal of any rule or regulation necessary for the implemen-  
20 tation of this act on its effective date are authorized to be made and  
21 completed on or before such effective date.

22

## SUBPART D

23 Section 1. The alcoholic beverage control law is amended by adding a  
24 new section 64-h to read as follows:

25 § 64-h. Higher education on-premises license. 1. Any college, univer-  
26 sity, or other institution for higher education authorized to confer  
27 degrees by the board of regents or the commissioner of education may  
28 make an application to the state liquor authority for a higher education  
29 license.

30 2. Such application shall be in such form and shall contain such  
31 information as shall be required by the liquor authority and shall be  
32 accompanied by a check or draft in the amount required by this section  
33 for such license.

34 3. Section fifty-four of this chapter shall control so far as applica-  
35 ble to the procedure in connection with such application.

36 4. Such higher education license shall in form and in substance be a  
37 license to the college, university, or other institution for higher  
38 education to periodically provide food and beverages for events held on  
39 its campus as defined by section two of the education law, and to sell  
40 liquor, wine, beer and cider at retail for consumption on the premises  
41 so licensed. The event spaces so designated need not be contiguous to  
42 one another. Upon notice to the authority, a higher education licensee  
43 may also host events, meetings, seminars, or conferences where food and  
44 alcoholic beverages are served or available to attendees and where the  
45 alcoholic beverages are incidental to the event, at locations on its  
46 campus other than those designated as food and drinking establishments  
47 in the application, such events may be catered by a licensed caterer.  
48 All of the provisions of this chapter relative to licenses to sell  
49 liquor, wine, beer, cider, mead and/or braggot at retail for consumption  
50 on the premises shall apply so far as applicable to such application.

51 5. Such license shall also be deemed to include a license to manufac-  
52 ture liquor, wine, beer, cider, mead and/or braggot on the premises  
53 specifically licensed, under the same terms and without payment of any  
54 additional fee. Provided, however, that no such licensee shall manufac-

1 ture annually in excess of ten thousand barrels of beer, seventy-five  
2 thousand gallons of wine, seventy-five thousand gallons of cider, or  
3 thirty-seven thousand five hundred gallons of distilled spirits.

4 6. A higher education licensee may conduct tastings of any alcoholic  
5 beverages it produces:

6 (a) upon its licensed premises;

7 (b) at the state fair, at recognized county fairs and at farmers  
8 markets operated on a not-for-profit basis; and

9 (c) at outdoor or indoor gatherings, functions, occasions or events,  
10 within the hours fixed by or pursuant to subdivision fourteen of section  
11 one hundred five of this chapter, sponsored by a bona fide charitable  
12 organization. For the purposes of this paragraph, a bona fide charitable  
13 organization shall mean and include any bona fide religious or charita-  
14 ble organization or bona fide educational, fraternal or service organ-  
15 ization or bona fide organization of veterans or volunteer firefighters,  
16 which by its charter, certificate of incorporation, constitution, or act  
17 of the legislature, shall have among its dominant purposes one or more  
18 of the lawful purposes as defined in subdivision five of section one  
19 hundred eighty-six of the general municipal law.

20 7. Notwithstanding any other provision of law to the contrary, all  
21 alcoholic beverages produced by a higher education licensee and sold on  
22 the premises of said higher education licensee, or utilized for tastings  
23 as otherwise provided for by this section, shall be exempt from the  
24 provisions of sections fifty-five-b, one hundred seven-a, one hundred  
25 one-aa, and one hundred one-aaa of this chapter.

26 8. A higher education licensee may sell alcoholic beverages produced  
27 by the licensee to another retail licensee where such other license is  
28 held by the college, university, or other institution for higher educa-  
29 tion.

30 9. For purposes of sections one hundred one and one hundred six of  
31 this chapter, the licensee under this section shall be considered a  
32 "retailer" as that term is defined within section three of this chapter.  
33 Provided, however, that the provisions of subdivision one of section one  
34 hundred one and subdivision thirteen of section one hundred six of this  
35 chapter shall only apply to the licensee's alcoholic beverage officer,  
36 as designated pursuant to subdivision four of section one hundred twen-  
37 ty-six of this chapter.

38 10. A higher education licensee shall report to the authority no less  
39 than five days prior to all events featuring sales or tastings of alco-  
40 holic beverages conducted pursuant to their license during the license  
41 period in such manner and format as the authority shall direct.

42 § 2. Subdivision 1 of section 101 of the alcoholic beverage control  
43 law is amended by adding a new paragraph (g) to read as follows:

44 (g) In the case of a college, university, or other institution for  
45 higher education authorized to confer degrees by the board of regents or  
46 the commissioner of education holding a retail license under this chap-  
47 ter, the provisions and restrictions contained in paragraphs (b) and (d)  
48 of this subdivision shall only apply to such licensee's alcoholic bever-  
49 age officer, as designated pursuant to subdivision four of section one  
50 hundred twenty-six of this article.

51 § 3. Paragraph (a) of subdivision 1 of section 110 of the alcoholic  
52 beverage control law is amended by adding a new clause (iv) to read as  
53 follows:

54 (iv) If the applicant is a college, university, or other institution  
55 for higher education authorized to confer degrees by the board of  
56 regents or the commissioner of education, the corporate name of the

1 applicant, its place of incorporation, its main business address (and if  
2 such main business address is not within the state, the address of its  
3 main place of business within the state), other names by which it has  
4 been known or has conducted business at any time, its telephone number,  
5 its federal employer identification number, and the name of its alcohol-  
6 ic beverage officer.

7 § 4. Subdivision 4 of section 126 of the alcoholic beverage control  
8 law, as amended by chapter 669 of the laws of 2022, is amended to read  
9 as follows:

10 4. A copartnership or a corporation, unless each member of the part-  
11 nership, or each of the principal officers and directors of the corpo-  
12 ration, is a citizen of the United States or a noncitizen lawfully  
13 admitted for permanent residence in the United States, not less than  
14 twenty-one years of age, and has not been convicted of any felony or any  
15 of the misdemeanors, specified in section eleven hundred forty-six of  
16 the former penal law as in force and effect immediately prior to Septem-  
17 ber first, nineteen hundred sixty-seven, or of an offense defined in  
18 section 230.20 or 230.40 of the penal law, or if so convicted has  
19 received, subsequent to such conviction, an executive pardon therefor  
20 removing this disability a certificate of good conduct granted by the  
21 department of corrections and community supervision, or a certificate of  
22 relief from disabilities granted by the department of corrections and  
23 community supervision or a court of this state pursuant to the  
24 provisions of article twenty-three of the correction law to remove the  
25 disability under this section because of such conviction; provided  
26 however: that a corporation which otherwise conforms to the requirements  
27 of this section and chapter may be licensed if each of its principal  
28 officers and more than one-half of its directors are citizens of the  
29 United States or noncitizens lawfully admitted for permanent residence  
30 in the United States; and provided further that a corporation organized  
31 under the not-for-profit corporation law or the education law which  
32 otherwise conforms to the requirements of this section and chapter may  
33 be licensed if each of its principal officers and more than one-half of  
34 its directors are not less than twenty-one years of age and none of its  
35 directors are less than eighteen years of age; and provided further that  
36 a corporation organized under the not-for-profit corporation law or the  
37 education law and located on the premises of a college as defined by  
38 section two of the education law which otherwise conforms to the  
39 requirements of this section and chapter may be licensed if each of its  
40 principal officers and each of its directors are not less than eighteen  
41 years of age; and that a college, university, or other institution for  
42 higher education authorized to confer degrees by the board of regents or  
43 the commissioner of education may be licensed if it appoints an alcohol-  
44 ic beverage officer from among its officers who otherwise conforms to  
45 the requirements of this section and chapter and who shall be responsi-  
46 ble for filing all applications and other documents required to be  
47 submitted to the authority.

48 § 5. Section 66 of the alcoholic beverage control law is amended by  
49 adding a new subdivision 12 to read as follows:

50 12. The fee for an original and renewal higher education on-premises  
51 license shall be one thousand five hundred dollars. Such license shall  
52 run for a period of three years. In addition to the license fees  
53 provided for in this subdivision, there shall be paid to the authority  
54 with each original application a filing fee of two hundred dollars and  
55 with each renewal application a filing fee of one hundred dollars.

1 § 6. This act shall take effect on the one hundred eightieth day after  
2 it shall have become a law. Effective immediately, the addition, amend-  
3 ment and/or repeal of any rule or regulation necessary for the implemen-  
4 tation of this act on its effective date are authorized to be made and  
5 completed on or before such effective date.

6

## SUBPART E

7 Section 1. The alcoholic beverage control law is amended by  
8 adding a new section 79-e to read as follows:

9 § 79-e. Hotel concessionaire license. 1. Any person may apply to the  
10 authority for a license to sell unopened alcoholic beverages to go from  
11 a shop or concession stand located within a hotel.

12 2. (a) Such hotel concessionaire license shall in form and in  
13 substance enable the person specifically licensed to sell wine, beer,  
14 cider, mead, braggot, and wine products at not more than fifteen percent  
15 alcohol by volume and in sealed containers not to exceed seven hundred  
16 fifty milliliters.

17 (b) Any person holding a hotel concessionaire license shall only sell  
18 alcoholic beverages described in paragraph (a) of this subdivision above  
19 at retail exclusively to registered overnight guests staying at the  
20 hotel at the time of the sale.

21 3. A license issued under this section shall be confined to a clearly  
22 defined area within a hotel as disclosed to the authority. Provided,  
23 however, that a hotel concessionaire licensee may use space shared with  
24 the hotel in which the licensed premises is located to keep and maintain  
25 any books and records required by this chapter and to store alcoholic  
26 beverages. Such shared space shall be disclosed to and approved by the  
27 authority.

28 4. The holder of a hotel concessionaire license shall take the follow-  
29 ing actions to prevent the occurrence of prohibited sales as described  
30 in section sixty-five of this chapter:

31 (a) The hotel shop or concession stand licensed under this section  
32 must be directly supervised by the licensee, a hired manager, or an  
33 employee of the licensee during all hours of operation;

34 (b) All sales of alcoholic beverages in the licensed hotel shop or  
35 concession stand must be made by a person holding a certificate of  
36 completion issued by an alcohol training awareness program pursuant to  
37 subdivision twelve of section seventeen or subdivision ten of section  
38 eighteen of this chapter;

39 (c) The holder of a hotel concessionaire license must obtain an age  
40 verification scanner and keep it in the hotel shop or concession stand  
41 licensed under this section;

42 (d) The persons making the sale of alcohol in the licensed hotel shop  
43 or concession stand must use a scanner to verify the age of customers  
44 before completing the transaction; and

45 (e) All other preventative measures as deemed necessary by the author-  
46 ity.

47 5. Every hotel concessionaire licensee shall regularly keep food  
48 available for sale in the shop or concession stand located within the  
49 hotel. The availability of sandwiches, soups or other foods, whether  
50 fresh, processed, pre-cooked or frozen, shall be deemed compliance with  
51 this requirement.

52 6. (a) Any person receiving a hotel concessionaire license under this  
53 section shall be subject to the provisions of sections one hundred five

1 and one hundred five-b of this chapter, unless determined otherwise by  
2 the authority pursuant to subdivision ten of this section.

3 (b) Any premises licensed under this section and any space shared with  
4 a hotel in which said premises is located shall be subject to inspection  
5 by any peace officer described in subdivision four of section 2.10 of  
6 the criminal procedure law acting pursuant to their special duties, or  
7 police officer or any duly authorized representative of the state liquor  
8 authority, during the hours when said premises are open for the trans-  
9 action of business.

10 7. Notwithstanding any other provisions of this chapter, any hotel  
11 business operator with a license issued under this chapter to sell alco-  
12 holic beverages at retail for consumption on the premises at such hotel  
13 may apply to the authority for a hotel concessionaire license.

14 8. The fee for a hotel concessionaire license shall be one thousand  
15 nine hundred twenty dollars in the counties of New York, Kings, Bronx,  
16 and Queens; nine hundred sixty dollars in the county of Richmond and in  
17 cities having a population of more than one hundred thousand and less  
18 than one million; and four hundred thirty-five dollars elsewhere. Said  
19 license shall run for a period of three years. In addition to the  
20 license fees provided for in this subdivision, there shall be paid to  
21 the authority with each initial application a non-refundable filing fee  
22 of one hundred dollars and with each renewal application a non-refunda-  
23 ble filing fee of twenty-five dollars.

24 9. Such application shall be in such form and shall contain such  
25 information as shall be required by the rules of the authority and shall  
26 be accompanied by a check or draft in the amount required by subdivision  
27 eight of this section.

28 10. The authority may promulgate such rules and regulations as may be  
29 deemed necessary to carry out the provisions of this section.

30 § 2. This act shall take effect on the one hundred eightieth day after  
31 it shall have become a law. Effective immediately, the addition, amend-  
32 ment and/or repeal of any rule or regulation necessary for the implemen-  
33 tation of this act on its effective date are authorized to be made and  
34 completed on or before such effective date.

35

## SUBPART F

36 Section 1. The alcoholic beverage control law is amended by adding a  
37 new section 99-i to read as follows:

38 § 99-i. Early morning sports bar on-premises permit. 1. Notwithstand-  
39 ing any provision of law or rule to the contrary, anyone licensed pursu-  
40 ant to this chapter with the privilege of selling alcoholic beverages at  
41 retail for on-premises consumption may make an application to the  
42 authority for an early morning sports bar on-premises permit.

43 2. Such application shall be in such form as the authority shall  
44 prescribe and shall contain such information as shall be required by the  
45 authority and shall be accompanied by a check or draft in the amount of  
46 one thousand dollars for such permit. A filing fee of twenty dollars  
47 shall be assessed for permits issued pursuant to this section. If  
48 approved, such permit term shall run for the same license period as the  
49 underlying on-premises retail license.

50 3. Such permit shall authorize the operation of the underlying  
51 licensed premises for on-premises retail sales during the hours of seven  
52 o'clock a.m. to eight o'clock a.m. Monday through Saturday, and seven  
53 o'clock a.m. to ten o'clock a.m. on Sundays, on days when a live tele-  
54 vised major professional or international sporting event is played



1 during those hours in the eastern daylight time/eastern standard time  
2 time zone on that date.

3 4. Section fifty-four of this chapter shall control so far as applica-  
4 ble to the procedure in connection with such application.

5 5. An applicant for a permit under this section shall provide notice  
6 to the local municipality of such application as provided in section one  
7 hundred ten-b of this chapter.

8 6. Such permit and the exercise of the privileges granted thereunder  
9 shall be subject to such rules that the authority may deem necessary.

10 § 2. Paragraphs (a) and (b) of subdivision 5 of section 106 of the  
11 alcoholic beverage control law, paragraph (a) as amended by chapter 160  
12 of the laws of 2024 and paragraph (b) as amended by section 1 of part FF  
13 of chapter 55 of the laws of 2020, are amended to read as follows:

14 (a) Except as provided in paragraph (c) of this subdivision, on  
15 Sunday, from four ante meridiem to ten o'clock a.m., except pursuant to  
16 a permit issued under section ninety-nine-h [or], subdivision five of  
17 section ninety-seven [of this chapter] or a permit issued under section  
18 ninety-nine-i of this chapter.

19 (b) Except as provided in paragraph (c) of this subdivision, on any  
20 other day between four ante meridiem and eight ante meridiem, except  
21 pursuant to a permit issued under section ninety-nine-i of this chapter.

22 § 3. This act shall take effect on the one hundred eightieth day after  
23 it shall have become a law. Effective immediately, the addition, amend-  
24 ment and/or repeal of any rule or regulation necessary for the implemen-  
25 tation of this act on its effective date are authorized to be made and  
26 completed on or before such effective date.

27

## SUBPART G

28 Section 1. Section 53 of the alcoholic beverage control law, as  
29 amended by chapter 3 of the laws of 2021, is amended to read as follows:

30 § 53. Wholesaler's license. Any person may apply to the liquor author-  
31 ity for a license to sell beer at wholesale. Such application shall be  
32 in writing and verified and shall contain such information as the liquor  
33 authority shall require. Such application shall be accompanied by a  
34 check or draft for the amount required by this article for such license.  
35 If the liquor authority shall grant the application it shall issue a  
36 license in such form as shall be determined by its rules. Such a license  
37 shall contain a description of the licensed premises and in form and in  
38 substance shall be a license to the person therein specifically desig-  
39 nated to sell beer at wholesale in the premises therein specifically  
40 licensed to duly licensed wholesalers, retailers and permittees in this  
41 state, and to sell or deliver beer to persons outside the state pursuant  
42 to the laws of the place of such sale or delivery. A wholesaler's  
43 license [issued or renewed prior to July first, nineteen hundred sixty,  
44 and thereafter renewed or transferred,] shall authorize the holder ther-  
45 eof to sell beer at retail [to a person for consumption in his home;  
46 provided, however, that regardless of the date issued, renewed or trans-  
47 ferred, a wholesaler's license issued to a brewer or to the wholly-owned  
48 subsidiary of a brewer, shall authorize the holder thereof to sell beer  
49 at retail to a person for consumption in his home] for off-premises  
50 consumption.

51 § 2. This act shall take effect immediately and shall apply to all  
52 applications submitted to the authority on or after such effective date.  
53 Effective immediately, the addition, amendment and/or repeal of any rule  
54 or regulation necessary for the implementation of this act on its effec-



1 tive date are authorized to be made and completed on or before such  
2 effective date.

3

## SUBPART H

4 Section 1. Subdivision 3 of section 17 of the alcoholic beverage  
5 control law, as separately amended by section 4 of chapter 342 and  
6 section 2 of chapter 656 of the laws of 2025, is amended to read as  
7 follows:

8 3. To revoke, cancel or suspend for cause any license or permit issued  
9 under this chapter and/or to impose a civil penalty for cause against  
10 any holder of a license or permit issued pursuant to this chapter. Any  
11 civil penalty so imposed shall not exceed the sum of ten thousand  
12 dollars as against the holder of any retail permit issued pursuant to  
13 sections ninety-five, ninety-seven, ninety-eight, ninety-nine-d, nine-  
14 ty-nine-i, and paragraph f of subdivision one of section ninety-nine-b  
15 of this chapter, and as against the holder of any retail license issued  
16 pursuant to sections fifty-three-a, fifty-four, fifty-four-a, fifty-  
17 five, fifty-five-a, sixty-three, sixty-four, sixty-four-a, sixty-four-b,  
18 sixty-four-c, sixty-four-d, sixty-four-e, sixty-four-f, sixty-four-g,  
19 sixty-four-h, seventy-six-f, seventy-nine, eighty-one and eighty-one-a  
20 of this chapter, and the sum of thirty thousand dollars as against the  
21 holder of a license issued pursuant to sections thirty, thirty-one,  
22 thirty-five, fifty-three, fifty-nine-b, sixty-one-a, sixty-one-b,  
23 sixty-one-c, sixty-eight, seventy-six, seventy-six-a, [and]  
24 seventy-six-c, seventy-six-d, seventy-six-f, seventy-seven, seventy-  
25 eight and seventy-nine-c of this chapter, provided that the civil penal-  
26 ty against the holder of a wholesale license issued pursuant to section  
27 fifty-three of this chapter shall not exceed the sum of ten thousand  
28 dollars where that licensee violates provisions of this chapter during  
29 the course of the sale of beer at retail to a person for consumption at  
30 home, and the sum of one hundred thousand dollars as against the holder  
31 of any license issued pursuant to sections fifty-one, sixty-one, and  
32 sixty-two of this chapter. Any civil penalty so imposed shall be in  
33 addition to and separate and apart from the terms and provisions of the  
34 bond required pursuant to section one hundred twelve of this chapter.  
35 Provided that no appeal is pending on the imposition of such civil  
36 penalty, in the event such civil penalty imposed by the division remains  
37 unpaid, in whole or in part, more than forty-five days after written  
38 demand for payment has been sent by first class mail to the address of  
39 the licensed premises, a notice of impending default judgment shall be  
40 sent by first class mail to the licensed premises and by first class  
41 mail to the last known home address of the person who signed the most  
42 recent license application. The notice of impending default judgment  
43 shall advise the licensee: (a) that a civil penalty was imposed on the  
44 licensee; (b) the date the penalty was imposed; (c) the amount of the  
45 civil penalty; (d) the amount of the civil penalty that remains unpaid  
46 as of the date of the notice; (e) the violations for which the civil  
47 penalty was imposed; and (f) that a judgment by default will be entered  
48 in the supreme court of the county in which the licensed premises are  
49 located, or other court of civil jurisdiction or any other place  
50 provided for the entry of civil judgments within the state of New York  
51 unless the division receives full payment of all civil penalties due  
52 within twenty days of the date of the notice of impending default judg-  
53 ment. If full payment shall not have been received by the division with-  
54 in thirty days of mailing of the notice of impending default judgment,



1 the division shall proceed to enter with such court a statement of the  
2 default judgment containing the amount of the penalty or penalties  
3 remaining due and unpaid, along with proof of mailing of the notice of  
4 impending default judgment. The filing of such judgment shall have the  
5 full force and effect of a default judgment duly docketed with such  
6 court pursuant to the civil practice law and rules and shall in all  
7 respects be governed by that chapter and may be enforced in the same  
8 manner and with the same effect as that provided by law in respect to  
9 execution issued against property upon judgments of a court of record. A  
10 judgment entered pursuant to this subdivision shall remain in full force  
11 and effect for eight years notwithstanding any other provision of law.

12 § 2. Subdivision 6 of section 64-a of the alcoholic beverage control  
13 law, as amended by section 2 of part CC of chapter 55 of the laws of  
14 2024, is amended to read as follows:

15 6. No special on-premises license shall be granted except for premises  
16 in which the principal business shall be (a) the sale of food or bever-  
17 ages at retail for consumption on the premises; (b) an airline lounge;  
18 (c) a cafe or [(b)] (d) the operation of a legitimate theatre, including  
19 a motion picture theatre that is a building or facility which is regu-  
20 larly used and kept open primarily for the exhibition of motion pictures  
21 for at least five out of seven days a week, or on a regular seasonal  
22 basis of no less than six contiguous weeks, to the general public where  
23 all auditorium seating is permanently affixed to the floor and at least  
24 sixty-five percent of the motion picture theatre's annual gross revenues  
25 is the combined result of admission revenue for the showing of motion  
26 pictures and the sale of food and non-alcoholic beverages, or such other  
27 lawful adult entertainment or recreational facility as the liquor  
28 authority, giving due regard to the convenience of the public and the  
29 strict avoidance of sales prohibited by this chapter, shall by regu-  
30 lation classify for eligibility.

31 § 3. Subdivision 6 of section 64-a of the alcoholic beverage control  
32 law, as amended by chapter 475 of the laws of 2011, is amended to read  
33 as follows:

34 6. No special on-premises license shall be granted except for premises  
35 in which the principal business shall be (a) the sale of food or bever-  
36 ages at retail for consumption on the premises; (b) an airline lounge;  
37 (c) a cafe or [(b)] (d) the operation of a legitimate theatre or such  
38 other lawful adult entertainment or recreational facility as the liquor  
39 authority, giving due regard to the convenience of the public and the  
40 strict avoidance of sales prohibited by this chapter, shall by regu-  
41 lation classify for eligibility. Nothing contained in this subdivision  
42 shall be deemed to authorize the issuance of a license to a motion  
43 picture theatre, except those meeting the definition of restaurant and  
44 meals, and where all seating is at tables where meals are served.

45 § 4. This act shall take effect on the one hundred eightieth day after  
46 it shall have become a law; provided however, that the amendments to  
47 subdivision 3 of section 17 of the alcoholic beverage control law made  
48 by section one of this act shall be subject to the expiration of such  
49 subdivision and shall expire and be deemed repealed therewith; provided  
50 further, however, that the amendments to subdivision 6 of section 64-a  
51 of the alcoholic beverage control law made by section two of this act  
52 shall be subject to the expiration and reversion of such subdivision  
53 pursuant to section 5 of part CC of chapter 55 of the laws of 2024, as  
54 amended, when upon such date the provisions of section three of this act  
55 shall take effect. Effective immediately, the addition, amendment  
56 and/or repeal of any rule or regulation necessary for the implementation

1 of this act on its effective date are authorized to be made and  
2 completed on or before such effective date.

3 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-  
4 sion, section or part of this act shall be adjudged by any court of  
5 competent jurisdiction to be invalid, such judgment shall not affect,  
6 impair, or invalidate the remainder thereof, but shall be confined in  
7 its operation to the clause, sentence, paragraph, subdivision, section  
8 or part thereof directly involved in the controversy in which such judg-  
9 ment shall have been rendered. It is hereby declared to be the intent of  
10 the legislature that this act would have been enacted even if such  
11 invalid provisions had not been included herein.

12 § 3. This act shall take effect immediately, provided, however, that  
13 the applicable effective date of Subparts A through H of this act shall  
14 be as specifically set forth in the last section of such Subparts.

15

## PART Q

16 Section 1. The alcoholic beverage control law is amended by adding a  
17 new section 64-g to read as follows:

18 § 64-g. Dine and dance license. 1. Any person may make an application  
19 to the state liquor authority for a license to sell liquor at retail to  
20 be consumed on the premises of a dine and dance licensee. Such licenses  
21 shall be issued except for good cause shown and shall in form and in  
22 substance be a license to the person specifically licensed to sell  
23 liquors at retail, to be consumed upon the premises. Such license shall  
24 also be deemed to include a license to sell wine, beer, cider, mead  
25 and/or braggot at retail to be consumed under the same terms and condi-  
26 tions, without the payment of any additional fee. All of the provisions  
27 of this chapter relative to licenses to sell liquor, wine, beer, cider,  
28 mead and/or braggot at retail for consumption on the premises shall  
29 apply so far as applicable to such application.

30 2. Such application shall be in such form and shall contain such  
31 information as shall be required by the liquor authority and shall be  
32 accompanied by a check or draft in the amount required by this chapter  
33 for such licenses.

34 3. Section fifty-four of this chapter shall control, so far as appli-  
35 cable, the procedure in connection with such application.

36 4. Under this section, permissible methods of operation include live  
37 and/or recorded and/or DJ music and shall also specifically provide for  
38 patron and/or employee dancing, provided that such dancing shall not  
39 include exotic dancing. The liquor authority may promulgate such rules  
40 and regulations as deemed necessary to carry out the provisions of this  
41 section.

42 5. Every dine and dance licensee shall keep food available for sale to  
43 its customers for consumption on the premises. The availability of sand-  
44 wiches, soups or comparable foods, whether fresh, processed, pre-cooked  
45 or frozen, during such hours of operation shall be deemed compliance  
46 with this requirement. Nothing contained in this subdivision, however,  
47 shall be construed to require that any food be sold or purchased with  
48 any liquor.

49 6. The authority may consider any or all of the following in determin-  
50 ing whether public convenience and advantage and the public interest  
51 will be promoted by the granting of licenses under this section:

52 (a) the number, classes and character of licenses in proximity to the  
53 location and in the particular municipality or subdivision thereof;



1 (b) evidence that applicants have secured all necessary licenses and  
2 permits from the state and all other governing bodies;

3 (c) the effect that the granting of the license will have on vehicular  
4 traffic and parking in the proximity of the location;

5 (d) the existing noise level at the location and any increase in noise  
6 level that would be generated by the proposed premises;

7 (e) the history of liquor violations and reported criminal activity at  
8 the proposed premises; and

9 (f) any other factors specified by law or regulation that are relevant  
10 to determine the public convenience or advantage and necessary to find  
11 that the granting of such license shall be in the public interest.

12 7. No restaurant dine and dance license shall be granted for any prem-  
13 ises which shall be:

14 (a) on the same street or avenue and within two hundred feet of a  
15 building occupied exclusively as a school, church, synagogue or other  
16 place of worship; or

17 (b) in a city, town or village having a population of twenty thousand  
18 or more within five hundred feet of three or more existing premises  
19 licensed and operating pursuant to this section and sections sixty-four,  
20 sixty-four-a, sixty-four-b, sixty-four-c, sixty-four-d, and/or sixty-  
21 four-f of this article;

22 (c) the measurements in paragraphs (a) and (b) of this subdivision are  
23 to be taken in straight lines from the center of the nearest entrance of  
24 the premises sought to be licensed to the center of the nearest entrance  
25 of such school, church, synagogue or other place of worship or to the  
26 center of the nearest entrance of each such premises licensed and oper-  
27 ating pursuant to this section and sections sixty-four, sixty-four-a,  
28 sixty-four-b, sixty-four-c, sixty-four-d, and/or sixty-four-f of this  
29 article; except, however, that no renewal license shall be denied  
30 because of such restriction to any premises so located which were main-  
31 tained as a bona fide hotel, restaurant, catering establishment or club  
32 on or prior to December fifth, nineteen hundred thirty-three; and,  
33 except that no license shall be denied to any premises at which a  
34 license under this chapter has been in existence continuously from a  
35 date prior to the date when a building on the same street or avenue and  
36 within two hundred feet of said premises has been occupied exclusively  
37 as a school, church, synagogue or other place of worship; and except  
38 that no license shall be denied to any premises, which is within five  
39 hundred feet of three or more existing premises licensed and operating  
40 pursuant to this section and sections sixty-four, sixty-four-a, sixty-  
41 four-b, sixty-four-c, sixty-four-d, and/or sixty-four-f of this article,  
42 at which a license under this chapter has been in existence continuously  
43 on or prior to November first, nineteen hundred ninety-three. The liquor  
44 authority, in its discretion, may authorize the removal of any such  
45 licensed premises to a different location on the same street or avenue,  
46 within two hundred feet of said school, church, synagogue or other place  
47 of worship, provided that such new location is not within a closer  
48 distance to such school, church, synagogue or other place of worship.

49 (d) within the context of this subdivision, the word "entrance" shall  
50 mean a door of a school, of a house of worship, or of premises licensed  
51 and operating pursuant to this section and sections sixty-four, sixty-  
52 four-a, sixty-four-b, sixty-four-c, sixty-four-d, and/or sixty-four-f of  
53 this article or of the premises sought to be licensed, regularly used to  
54 give ingress to students of the school, to the general public attending  
55 the place of worship, and to patrons or guests of the premises licensed  
56 and operating pursuant to this section and sections sixty-four, sixty-

1 four-a, sixty-four-b, sixty-four-c, sixty-four-d and/or sixty-four-f of  
2 this article or of the premises sought to be licensed, except that where  
3 a school or house of worship or premises licensed and operating pursuant  
4 to this section and sections sixty-four, sixty-four-a, sixty-four-b,  
5 sixty-four-c, sixty-four-d, and/or sixty-four-f of this article or the  
6 premises sought to be licensed is set back from a public thoroughfare,  
7 the walkway or stairs leading to any such door shall be deemed an  
8 entrance; and the measurement shall be taken to the center of the walk-  
9 way or stairs at the point where it meets the building line or public  
10 thoroughfare. A door which has no exterior hardware, or which is used  
11 solely as an emergency or fire exit, or for maintenance purposes, or  
12 which leads directly to a part of a building not regularly used by the  
13 general public or patrons, is not deemed an "entrance".

14 (d-1) within the context of this subdivision, a building occupied as a  
15 place of worship does not cease to be "exclusively" occupied as a place  
16 of worship by incidental uses that are not of a nature to detract from  
17 the predominant character of the building as a place of worship, such  
18 uses which include, but which are not limited to: the conduct of legally  
19 authorized games of bingo or other games of chance held as a means of  
20 raising funds for the not-for-profit religious organization which  
21 conducts services at the place of worship or for other not-for-profit  
22 organizations or groups; use of the building for fund-raising perform-  
23 ances by or benefitting the not-for-profit religious organization which  
24 conducts services at the place of worship or other not-for-profit organ-  
25 izations or groups; the use of the building by other religious organiza-  
26 tions or groups for religious services or other purposes; the conduct of  
27 social activities by or for the benefit of the congregants; the use of  
28 the building for meetings held by organizations or groups providing  
29 bereavement counseling to persons having suffered the loss of a loved  
30 one, or providing advice or support for conditions or diseases includ-  
31 ing, but not limited to, alcoholism, drug addiction, cancer, cerebral  
32 palsy, Parkinson's disease, or Alzheimer's disease; the use of the  
33 building for blood drives, health screenings, health information meet-  
34 ings, yoga classes, exercise classes or other activities intended to  
35 promote the health of the congregants or other persons; and use of the  
36 building by non-congregant members of the community for private social  
37 functions. The building occupied as a place of worship does not cease to  
38 be "exclusively" occupied as a place of worship where the not-for-profit  
39 religious organization occupying the place of worship accepts the  
40 payment of funds to defray costs related to another party's use of the  
41 building.

42 8. Any license issued pursuant to this section shall be subject to 9  
43 NYCRR §48.3.

44 § 2. Subdivision 4 of section 66 of the alcoholic beverage control  
45 law, as amended by chapter 703 of the laws of 2022, is amended to read  
46 as follows:

47 4. The annual fee for a license, under section sixty-four [or],  
48 sixty-four-a, sixty-four-b, sixty-four-d, or sixty-four-g of this arti-  
49 cle, to sell liquor at retail to be consumed on the premises where sold  
50 shall be twenty-one hundred seventy-six dollars in the counties of New  
51 York, Kings, Bronx and Queens; fifteen hundred thirty-six dollars in the  
52 county of Richmond and in cities having a population of more than one  
53 hundred thousand and less than one million; twelve hundred sixteen  
54 dollars in cities having a population of more than fifty thousand and  
55 less than one hundred thousand; and the sum of eight hundred ninety-six  
56 dollars elsewhere; except that the license fees for catering establish-



1 ments and off-premises catering establishments shall be two-thirds the  
2 license fee specified herein and for clubs, except luncheon clubs and  
3 golf clubs, shall be seven hundred fifty dollars in counties of New  
4 York, Kings, Bronx and Queens; five hundred dollars in the county of  
5 Richmond and in cities having a population of more than one hundred  
6 thousand and less than one million; three hundred fifty dollars in  
7 cities having a population of more than fifty thousand and less than one  
8 hundred thousand; and the sum of two hundred fifty dollars elsewhere.  
9 The annual fees for luncheon clubs shall be three hundred seventy-five  
10 dollars, and for golf clubs in the counties of New York, Kings, Bronx,  
11 Queens, Nassau, Richmond and Westchester, two hundred fifty dollars, and  
12 elsewhere one hundred eighty-seven dollars and fifty cents. Notwith-  
13 standing any other provision of law to the contrary, there shall be no  
14 annual fee for a license, under section sixty-four, to sell liquor at  
15 retail to be consumed on the premises where the applicant is an organ-  
16 ization organized under section two hundred sixty of the military law  
17 and incorporated pursuant to the not-for-profit corporation law.  
18 Provided, however, that where any premises for which a license is issued  
19 pursuant to section sixty-four [or], sixty-four-a, or sixty-four-g of  
20 this article remain open only within the period commencing April first  
21 and ending October thirty-first of any one year, or only within the  
22 period commencing October first and ending the following April thirti-  
23 eth, the liquor authority may, in its discretion, grant a summer or  
24 winter license effective only for such appropriate period of time, for  
25 which a license fee shall be paid to be pro-rated for the period for  
26 which such license is effective, at the rate provided for in the city,  
27 town or village in which such premises are located, except that no such  
28 license fee shall be less than one-half of the regular annual license  
29 fee; provided further that where the premises to be licensed are a race  
30 track or a golf course or are licensed pursuant to section sixty-four or  
31 sixty-four-a of this article, the period of such summer license may  
32 commence March first and end November thirtieth.

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

39 § 3. Section 67 of the alcoholic beverage control law, as amended by  
40 chapter 523 of the laws of 2023, is amended to read as follows:

41 § 67. License fees, duration of licenses; fee for part of year.  
42 Effective April first, nineteen hundred eighty-three, licenses issued  
43 pursuant to sections sixty-one, sixty-two, sixty-three, sixty-four,  
44 sixty-four-a, sixty-four-b, sixty-four-c and sixty-four-e of this arti-  
45 cle shall be effective for three years at three times that annual fee,  
46 except that, in implementing the purposes of this section, the liquor  
47 authority shall schedule the commencement dates, duration and expiration  
48 dates thereof to provide for an equal cycle of license renewals issued  
49 under each such section through the course of the fiscal year. Effective  
50 December first, nineteen hundred ninety-eight, licenses issued pursuant  
51 to sections sixty-four, sixty-four-a [and], sixty-four-b, sixty-four-d,  
52 sixty-four-f, and sixty-four-g of this article shall be effective for  
53 two years at two times that annual fee, except that, in implementing the  
54 purposes of this section, the liquor authority shall schedule the  
55 commencement dates, duration and expiration dates thereof to provide for  
56 an equal cycle of license renewals issued under each such section

1 through the course of the fiscal year. Notwithstanding the foregoing,  
2 commencing on December first, nineteen hundred ninety-eight and conclud-  
3 ing on July thirty-first, two thousand two, a licensee issued a license  
4 pursuant to section sixty-four, sixty-four-a or sixty-four-b of this  
5 article may elect to remit the fee for such license in equal annual  
6 installments. Such installments shall be due on dates established by the  
7 liquor authority and the failure of a licensee to have remitted such  
8 annual installments after a due date shall be a violation of this chap-  
9 ter. For licenses issued for less than the three-year licensing period,  
10 the license fee shall be levied on a pro-rated basis. The entire license  
11 fee shall be due and payable at the time of application. The liquor  
12 authority may make such rules as shall be appropriate to carry out the  
13 purpose of this section.

14 § 4. Subdivision 1 of section 110-a of the alcoholic beverage control  
15 law, as added by chapter 77 of the laws of 1999, is amended to read as  
16 follows:

17 1. Every person applying for a license to sell alcoholic beverages  
18 pursuant to subdivision four of section fifty-one, or section fifty-  
19 five, sixty-four, sixty-four-a, sixty-four-b, sixty-four-c,  
20 sixty-four-d, sixty-four-f, sixty-four-g, eighty-one or eighty-one-a of  
21 this chapter shall publish notice thereof pursuant to subdivision two of  
22 this section.

23 § 5. Subdivision 1 of section 110-b of the alcoholic beverage control  
24 law, as amended by chapter 342 of the laws of 2025, is amended to read  
25 as follows:

26 1. Not more than two hundred seventy days before filing any of the  
27 following applications, an applicant shall notify the municipality in  
28 which the premises is located of such applicant's intent to file such an  
29 application:

30 (a) for a license issued pursuant to section fifty-five, fifty-five-a,  
31 sixty-four, sixty-four-a, sixty-four-b, sixty-four-c, sixty-four-d,  
32 sixty-four-f, sixty-four-g, eighty-one or eighty-one-a of this chapter;

33 (b) for a renewal under section one hundred nine of this chapter of a  
34 license issued pursuant to section fifty-five, fifty-five-a, sixty-four,  
35 sixty-four-a, sixty-four-c, sixty-four-d, sixty-four-f, sixty-four-g,  
36 eighty-one or eighty-one-a of this chapter if the premises is located  
37 within the city of New York;

38 (c) for approval of an alteration under section ninety-nine-d of this  
39 chapter if the premises is located within the city of New York and  
40 licensed pursuant to section fifty-five, fifty-five-a, sixty-four,  
41 sixty-four-a, sixty-four-c, sixty-four-d, sixty-four-f, sixty-four-g,  
42 eighty-one or eighty-one-a of this chapter;

43 (d) for approval of a substantial corporate change under section nine-  
44 ty-nine-d of this chapter if the premises is located within the city of  
45 New York and licensed pursuant to section fifty-five, fifty-five-a,  
46 sixty-four, sixty-four-a, sixty-four-c, sixty-four-d, sixty-four-f,  
47 sixty-four-g, eighty-one or eighty-one-a of this chapter; or

48 (e) for a temporary retail permit issued under paragraph (b) of subdivi-  
49 sion one of section ninety-seven-a of this chapter where the estab-  
50 lishment is to be licensed pursuant to section fifty-five, fifty-five-a,  
51 sixty-four, sixty-four-a, sixty-four-b, sixty-four-c, sixty-four-d,  
52 sixty-four-f, sixty-four-g, eighty-one or eighty-one-a of this chapter  
53 located in a city with a population of one million or more people. If an  
54 applicant subject to this paragraph shall, after filing an application  
55 for a retail license and providing proper notice for such application  
56 pursuant to paragraph (a) of this subdivision, subsequently file an

1 application for a temporary retail permit pursuant to section ninety-  
2 seven-a of this chapter at the same premises, such applicant must file  
3 additional notice pursuant to this paragraph; provided, however, such  
4 notice will be effective at the later of its proper service under this  
5 section or thirty days from the date proper notice was served under  
6 paragraph (a) of this subdivision for the license at the same premises.

7 § 6. This act shall take effect on the one hundred eightieth day after  
8 it shall have become a law and shall apply to all applications received  
9 by the authority on or after such effective date; provided, however,  
10 that if chapter 342 of the laws of 2025 shall not have taken effect on  
11 or before such date then section five of this act shall take effect on  
12 the same date and in the same manner as such chapter of the laws of 2025  
13 takes effect. Effective immediately, the addition, amendment, and/or  
14 repeal of any rule or regulation necessary for the implementation of  
15 this act on its effective date are authorized to be made and completed  
16 on or before such effective date.

17

## PART R

18 Section 1. Subdivisions 2 and 3 of section 17-212 of the election law,  
19 as added by chapter 226 of the laws of 2022, are amended to read as  
20 follows:

21 2. (a) Any person, political committee, labor organization, corpo-  
22 ration, or other entity, whether acting under color of law or otherwise,  
23 who knowingly violates subdivision one of this section is guilty of a  
24 class A misdemeanor.

25 (b) Any attempt to commit an offense described in subdivision one of  
26 this section, in accordance with the applicable provision of the penal  
27 law, is a class B misdemeanor.

28 3. Standing. Any aggrieved persons, organization whose membership  
29 includes aggrieved persons or members of a protected class, organization  
30 whose mission, in whole or in part, is to ensure voting access and such  
31 mission would be hindered by a violation of this section, or the attor-  
32 ney general may file an action pursuant to this section in the supreme  
33 court of the county in which the alleged violation of this section  
34 occurred.

35 [3.] 4. Remedies. (a) The provisions of article twenty and article one  
36 hundred five of the penal law, relating to criminal liability for  
37 conduct of another and conspiracy, shall apply to prosecutions under  
38 this section.

39 (b) Notwithstanding any other provision of law, the attorney general  
40 shall have concurrent jurisdiction with any district attorney in the  
41 prosecution of any offenses under this section relating to deceptive  
42 practices as well as any offenses arising out of such prosecution.

43 (c) Upon a finding of a violation of any provision of this section,  
44 the court shall implement appropriate remedies that are tailored to  
45 remedy the violation, including but not limited to providing for addi-  
46 tional time to cast a ballot that may be counted in the election at  
47 issue. Any party who shall violate any of the provisions of the forego-  
48 ing section or who shall aid the violation of any of said provisions  
49 shall be liable to any prevailing plaintiff party for damages, including  
50 nominal damages for any violation, and compensatory or punitive damages  
51 for any intentional violation.

52 § 2. Section 17-166 of the election law is amended to read as follows:

53 § 17-166. Penalty. Any person convicted of a misdemeanor under this  
54 article shall for a first offense be punished by a sentence of imprison-

1 ment for not more than one year, or by a fine of not less than one  
2 hundred dollars nor more than five hundred dollars, or by both such fine  
3 and imprisonment, unless otherwise provided by law. Any person who,  
4 having been convicted of a misdemeanor under this article, shall there-  
5 after be convicted of another misdemeanor under this article, shall be  
6 guilty of a class E felony. For any subsequent conviction under this  
7 article, such person shall be guilty of a class D felony.

8 § 3. This act shall take effect immediately.

9

PART S

10 Section 1. Subdivision 5 of section 14-106 of the election law, as  
11 added by section 1 of subpart B of part MM of chapter 58 of the laws of  
12 2024 and paragraph (b) as amended by chapter 169 of the laws of 2024, is  
13 amended to read as follows:

14 5. (a) For purposes of this subdivision:

15 (i) "Materially deceptive media" means any image, video, audio, text,  
16 or any technological representation of speech or conduct fully or  
17 partially created or modified that:

18 (1) exhibits a high level of authenticity or convincing appearance  
19 that is visually or audibly indistinguishable from reality to a reason-  
20 able person;

21 (2) depicts a scenario that did not actually occur or that has been  
22 altered in a significant way from how [they] it actually occurred; and

23 (3) is created by or with software, machine learning, artificial  
24 intelligence, or any other computer-generated or technological means,  
25 including adapting, modifying, manipulating, or altering a realistic  
26 depiction.

27 (ii) "Information content provider" means any person or entity that is  
28 responsible, in whole or in part, for the creation or development of  
29 information provided through the Internet or any other interactive  
30 computer service.

31 (iii) "Provenance data" has the same meaning as defined in section  
32 fifteen hundred thirty of the general business law except that for the  
33 purposes of this section, to the extent it is technically feasible and  
34 reasonable, "provenance data" shall include unique device, system, or  
35 service information that is reasonably capable of being associated with  
36 a particular user who created or modified such digital content.

37 (b) (i) A person, firm, association, corporation, campaign, committee,  
38 or organization that distributes or publishes any political communi-  
39 cation that was produced by or includes materially deceptive media and  
40 has actual knowledge that it is materially deceptive shall be required  
41 to disclose this use. To the extent it is technically feasible and  
42 reasonable, such materially deceptive media shall contain provenance  
43 data.

44 (ii) (1) For visual media the disclosure shall be printed or typed in  
45 a legible font size easily readable by the average viewer that is no  
46 smaller than other text appearing in the visual media and in the same  
47 language used on the communication to read as follows: "This (image,  
48 video, or audio) has been manipulated".

49 (2) For communication that is auditory, such as radio or automated  
50 telephone calls, clearly speaking the statement at the beginning of the  
51 audio, at the end of the audio, and, if the audio is greater than two  
52 minutes in length, interspersed within the audio at intervals of not  
53 greater than two minutes each and in the same language as the rest of  
54 the audio used in the communication, and in a pitch that can be easily