



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senator Gallivan Praises Reform of NY's Alcohol Beverage Control Law

JIM RANNEY September 12, 2016

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Senator Patrick M. Gallivan (R-C-I, Elma) applauds an agreement signed by the governor to modernize New York's Alcohol Beverage Control Law. Under legislation co-sponsored by Gallivan, restaurants and bars would be allowed to serve alcohol earlier on Sundays and reduces burdensome fees for wineries, distilleries, breweries and cideries statewide.

“New York’s so-called blue laws have imposed undue burdens on restaurants, wineries and other businesses for years,” Gallivan said. “This legislation stems from my ongoing effort to cut red tape and streamline regulations in order to make New York a better place to do business. These changes are long overdue and will benefit thousands of small businesses, their employees and customers.”

Under the agreement, restaurants and bars are authorized to serve alcohol starting at 10 a.m. on Sunday instead of the current noon. The legislation also allows licensees to apply for a permit up to 12 times per year to sell alcoholic beverages for consumption on the premises on Sundays between 8 a.m. and 10 a.m. in areas outside New York City.

The legislation also:

- Authorizes craft manufacturers to obtain multiple craft licenses on one application. The change eliminates burdensome paperwork by combining craft manufacturing licenses into one application.
- Authorizes the sale of wine in growlers. Current law requires that wine sold at retail for off premises consumption to be kept in their original concealed containers. The agreement also authorizes wineries to allow customers to take home a partially finished bottle of wine.
- Reduces fees for craft beverage salespeople. The current law requires any salesperson employed by a manufacturer or wholesales to obtain a solicitor’s permit in addition to a bond. The agreement eliminates the fee and removes the bond requirement.
- Reduces fees for small wholesalers. Under current law, small wholesales must pay the same amount for their license as their larger counterparts. The agreement would create a low-cost importer’s license for wholesales that sell only to other wholesales.

- Authorizes gift wrapping. The agreement allows liquor stores to sell gift wrapping and gift bags to their customers.
- Authorizes the Governor in the case of a vacancy of the Chairman of the SLA to appoint one of the two remaining commissioners as Acting Chairman for a period not to exceed six months or the nomination and confirmation of a new Chairman, whichever occurs earlier. If the Governor nominates a new Chairman within the six-month period, the powers of the Acting Chairman extend for another 90 days or until the new Chairman is confirmed, whichever is earlier.

The legislation passed the Senate and Assembly in June. Governor Cuomo signed the bill into law today.

In 2013, Senator Gallivan co-authored a report on Regulatory Reform which identified over one thousand burdensome and unnecessary regulations, including some of those outlined in this legislation.

“I thank the governor for recognizing the need to reform these out of date regulations and I thank Erie County Legislature Majority Leader Joseph Lorigo and others who pushed for many of these changes at the local level.”