



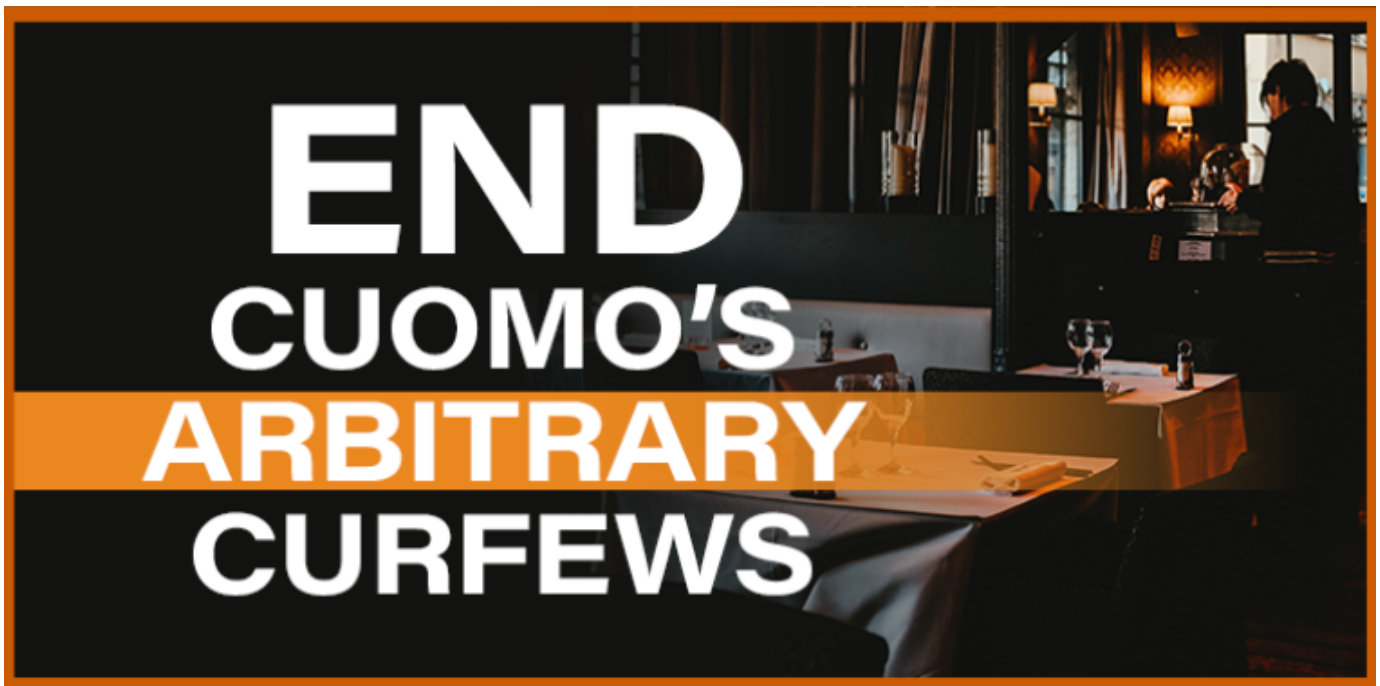
NEW YORK STATE SENATOR

Mario R. Mattera

Senate And Assembly Republicans: Lift The Arbitrary 11 P.M. Curfew For Bars And Restaurants

MARIO R. MATTERA March 23, 2021

| ISSUE: **CORONAVIRUS PANDEMIC; COVID-19; RESTAURANTS; HOSPITALITY INDUSTRY , LOCAL BUSINESSES, JOBS & EMPLOYMENT**



Senator Mario R. Mattera (2nd Senate District) joined with **Senate Republican Leader Robert Ort**, **Assembly Republican Leader Will Barclay** and members of their conferences to announce the introduction of a concurrent resolution to rescind Governor Cuomo's arbitrary 11 p.m. curfew for bars and restaurants.



Last November, Governor Cuomo issued Executive Order 202.74 that imposed a 10 p.m. curfew for bars, restaurants, gyms, fitness centers, and other facilities throughout the state. Earlier this year, he extended the curfew to 11 p.m., and just last week, lifted it altogether for gyms, fitness centers, casinos, movie theaters, bowling alleys, and billiard halls beginning April 5.

However, he left the arbitrary and damaging rule in place for bars and restaurants, saying it would be reevaluated next month.

“For over a year, our restaurants and bars have continued to serve our community while struggling to survive the COVID-19 crisis and our state needs to take immediate steps to help

them recover and grow. Throughout the pandemic, an overwhelming majority of our bar and restaurant owners and their employees, who are our friends and neighbors, have diligently adhered to seemingly arbitrary rules to protect their patrons. Now, New York State must acknowledge their dedicated efforts by removing needless barriers to protect this vital industry that is so important to all of our communities,” stated Senator Mattera.

“Despite claims by the Democratic Majorities that they revoked the Governor’s emergency powers, there are still egregious mandates in place that have absolutely no scientific basis. These arbitrary rules remain in effect at the whim of one man -- our embattled Governor -- and they continue to harm our small businesses. I’m hopeful the Majority will bring our commonsense proposal to the floor and join us in providing some relief to our bars and restaurants who have been devastated by the pandemic,” said Leader Ortt.

“It’s obvious that we are no longer operating under a system where science is driving decisions. There is no data that explains lifting curfews on certain facilities and leaving bars and restaurants off that list. Overturning Gov. Cuomo’s senseless, arbitrary directives is as easy as passing a resolution. It’s time for Democrats to take that step,” said Leader Barclay.

“Our small businesses, which are the backbone of our economy and the heart and soul of our communities, have suffered greatly during this pandemic. While it is a positive step forward that the nonsensical curfews for most businesses have been lifted, the Governor’s edict that curfews at restaurants and bars be maintained defies logic. These businesses are major employers in our communities and often the driving force to bring people to our business districts. Bars and restaurants have proven they can operate safely following the most up to date safety guidelines—it is long past time we give them the flexibility to operate at the hours they wish to operate,” said [Senator Alexis Weik](#).

“The 11 p.m. restaurant curfew and food requirements have no basis in logic or data. Are we really supposed to believe that casinos and pool halls are safe from COVID after 11 p.m., but not restaurants? Or that having a cheeseburger on the table keeps us safe from the virus? If the Governor refuses to lift these nonsensical rules, the Legislature can and should repeal them immediately,” said [Assemblyman Jarett Gandolfo](#).

“The executive orders put in place by Governor Cuomo are the reasons we fought so hard to return his emergency powers back to elected legislators. Here on Eastern Long Island, these arbitrary and ever-changing mandates have crippled the economy and have many small businesses fearful that this year’s tourist season may not be enough to keep them out of bankruptcy. Since he won’t listen to the plight of the restaurant, bar and catering hall owners, we are moving to lift his mandates legislatively,” said [Assemblywoman Jodi Giglio](#).

Legislative Republicans have been leading the charge to repeal the Governor’s emergency powers since last May. On March 5th, the Majorities put forward a Democrat-negotiated bill with the Governor’s office that was supposedly intended to remove the Governor’s emergency powers. However, that bill did not go far enough and was not an actual repeal, as has been made clear since it’s passage, and arbitrary rules -- including the curfew on restaurants and bars -- remain in effect, further harming our small businesses.

Under the bill passed by the Majorities -- and agreed to by the Governor’s office -- directives already made by the Governor remain in effect, and he maintains the ability to modify or extend them.

Earlier this month, the New York State Senate Republican Conference announced the introduction of another concurrent resolution that would rescind Governor Cuomo’s mandate that prohibits bars and restaurants from serving alcoholic beverages to patrons who do not order food. The Majority has so far not allowed the resolution to the floor for a vote, despite indicating support for doing so on the floor of the Senate on March 5th.