

Key Legislative Changes Affecting Small Businesses – 2009 Legislative Session

Bill Title: AN ACT to amend the alcoholic beverage control law, in relation to permitting certain brewers to sell beer at fairs and farmers' markets.

Chapter: 258

Bill Number: S2623

Sponsor: Valesky

Effective Date of Law: July 28, 2009

Summary of Bill: This bill amends Section 51 of the Alcoholic Beverage Control Law to authorize licensed brewers with an annual production of less than 60,000 barrels to apply to the State Liquor Authority for a permit to sell beer in a sealed container for off-premises consumption at state fairs, county fairs and not-for-profit farmers' markets with the requirement that a representative of the brewer be present at the time of the sale.

This bill is intended to promote micro breweries in New York State by authorizing them to sell beer at fairs and farmers' markets in the same manner as wineries are currently authorized to sell wine at fairs and farmers' markets. It is estimated that this authorization could increase sales of these small businesses by five percent which will produce jobs and further economic development in New York.

Link to Bill: <http://open.nysenate.gov/openleg/api/html/bill/S2623>

Bill Title: AN ACT to amend chapter 192 of the laws of 2003, amending the alcoholic beverage control law relating to the registration of kegs, in relation to extending the provisions of such chapter.

Chapter: 316

Bill Number: A7368

Sponsor: Schimminger

Effective Date of Law: On the one hundred twentieth day after August 11, 2009 [insert what day that is in brackets]. Expires on November 22, 2010.

Summary of Bill: Extension of the Alcoholic Beverage Control Law § 105-c that requires all kegs sold at retail for off-premise consumption to have a registration tag attached that has the name and address of the purchaser, the purchaser's identification number (i.e. license number),

the amount of the container and registration deposit; the date and time of the purchase, and the keg identification. The keg registration deposit remains at \$50 for each keg of beer purchased.

Link to Bill: <http://assembly.state.ny.us/leg/?bn=A07368&sh=t>

Bill Title: AN ACT to amend the economic development law, in relation to authorizing regional offices not only to provide information on regional economic development, but also provide assistance with regulatory compliance.

Chapter: 352

Bill Number: A2201-A

Sponsor: Valesky

Effective Date of the Law: August 26, 2009

Summary of Bill: This bill amends the Economic Development Law to: (1) authorize regional offices to assist “small and medium sized” businesses; (2) authorize “authorities or other economic entities” to provide outreach to businesses for financial and technical assistance; and (3) authorize regional offices to provide or arrange for “assistance in compliance with federal, state and local rules, regulations, permits and licenses.”

This will allow proprietors to learn about state programs that may benefit their businesses, and also make it easier for them to comply with federal, state and local regulations pertaining to their operations.

Empire State Development Regional Office Locations:

http://www.empire.state.ny.us/Contacts_and_About_Us/locations.asp#list

Link to Bill: <http://assembly.state.ny.us/leg/?bn=A02201&sh=t>

Bill Title: AN ACT to amend the New York state urban development corporation act to allow funding of energy conservation and efficiency projects.

Chapter: 406

Bill Number: A8643

Sponsor: Cahill, Schimminger, DelMonte

Effective Date of the Law: August 26, 2009

Summary of Bill: This bill amends the New York State Urban Development Corporation Act to make an energy conservation and efficiency project or a portion of a multi-purpose project designed and intended for the purpose of reducing energy consumption and improving energy efficiency of buildings, building systems or manufacturing or industrial systems by retrofitting or modernizing manufacturing, industrial or commercial facilities eligible for Urban Development Corporation funding, including energy audits performed by an energy auditor approved by the New York State Energy Research and Development Authority; insulation of building structure or systems within the building; windows or doors, caulking or weather stripping, multi-glazed windows or doors, or other modifications that reduce energy consumption; automated or computerized energy control systems; heating, ventilating or air conditioning system modifications or replacements; replacement of modification of lighting fixtures to increase energy efficiency; energy recovery systems; solar energy generating or heating and cooling systems or other renewable energy systems; cogeneration or combined heat and power systems that produce steam, chilled water or forms of energy for use primarily within a building or complex of buildings; energy conservation measures that provide long-term operating cost reductions; and maintenance and operation of mechanical systems that provide long-term operating cost reductions.

To Discuss a Project, Contact Empire State Development's Regional Offices:

http://www.empire.state.ny.us/Contacts_and_About_Us/locations.asp#list

Link to Bill: <http://assembly.state.ny.us/leg/?bn=A08643&sh=t>

Bill Title: AN ACT to amend the alcoholic beverage control law, in relation to licenses to sell liquors at retail for consumption on certain premises.

Chapter: 407

Bill Number: A8823

Sponsor: Wright

Effective Date of the Law: August 26, 2009

Summary of Bill: This bill amends the Alcoholic Beverage Control Law, allowing issuance of a retail license for on-premises consumption to a premises located within two hundred feet of a building occupied exclusively as a school, church, synagogue or other place of worship, provided such premises constitutes a premise for the sale of food or beverages at retail for consumption on the premises and/or an overnight lodging facility located at 2247 Adam Clayton Powell, Jr. Boulevard (Seventh Avenue) in New York City.

Link to Bill: <http://assembly.state.ny.us/leg/?bn=A08823&sh=t>

Bill Title: AN ACT to amend the alcoholic beverage control law, in relation to making consistent the standards and procedures governing the various on-premises liquor licenses with respect to 500-foot hearings.

Chapter: 463

Bill Number: A8518

Sponsor: Schimminger

Effective Date of the Law: September 16, 2009

Summary of Bill: This bill amends the Alcoholic Beverage Control Law to establish consistent standards and procedures with respect to determining whether there are three or more licensed on-premises liquor businesses already in operation within 500 feet of an unlicensed establishment for which a new on-premises liquor license is sought, establish consistent standards for the manner in which measurements between the proposed premises and existing premises are to be taken, and the manner in which notice is provided by the State Liquor Authority to the interested New York City Community Board or Local Municipality.

Link to Bill: <http://assembly.state.ny.us/leg/?bn=A08518&sh=t>