

Memorandum

AN ACT to amend the alcoholic beverage control law,  
in relation to authorizing the state liquor authority to  
issue stadium vendor permits

Purpose:

This bill would provide for a stadium vendor permit.

Summary of provisions:

This legislation would add a new Alcoholic Beverage Control (ABC) Law § 55-a-1, to provide for a stadium vendor permit for vendors selling beer at baseball parks, race tracks or other athletic fields or stadiums where admission is charged. The fee for a stadium vendor permit would be ten dollars.

Existing law:

Currently, no law explicitly addresses vendors selling beer at stadiums.

Legislative History:

New bill.

Statement in support:

Vendors in the stands at stadiums are not appropriately licensed due to the fact that a license that would cover such practice is not currently available. This type of activity should be permissible, regulated and covered by a specific permit. The holder of a stadium vendor permit would be entitled to work for a ballpark beer licensee, selling the licensee's beer in the seating and patron areas of the ballpark. The ballpark beer licensee employs the vendor, and is jointly responsible for the vendor's violations. Such licensee could apply for an annual temporary stadium vendor employment permit to allow employees to act as vendors until they are issued a stadium vendor permit.

Budget implications:

Revenue should be generated though the fee associated with this new permit.

Effective Date:

This act shall become effective on the first day of the month that begins at least ninety days after the date on which it shall have become a law.

**DEPARTMENTAL BILL # 48**

S.

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Senate  
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IN SENATE--Introduced by Sen

--read twice and ordered printed,  
and when printed to be committed  
to the Committee on

----- A.  
Assembly  
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IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the  
Committee on

\*ALCOBELA\* \*State Liquor Authority  
12 R-1\*  
(Authorizes the state liquor author-  
ity to issue stadium vendor permits)

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ABC. stadium vendor permits

**AN ACT**

to amend the alcoholic beverage  
control law, in relation to author-  
izing the state liquor authority to  
issue stadium vendor permits

The People of the State of New  
York, represented in Senate and  
Assembly, do enact as follows:

**IN SENATE**

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship  
of this proposal

|                 |                 |                 |                  |                |
|-----------------|-----------------|-----------------|------------------|----------------|
| s20 Adams       | s22 Golden      | s39 Larkin      | s11 Padavan      | s14 Smith      |
| s55 Alesi       | s33 Gonzalez    | s01 LaVelle     | s21 Parker       | s58 Stachowski |
| s42 Bonacic     | s47 Griffio     | s40 Leibell     | s30 Perkins      | s16 Stawisky   |
| s46 Breslin     | s06 Hannon      | s52 Libous      | s61 Rath         | s35 Stewart-   |
| s43 Bruno       | s36 Hassell-    | s45 Little      | s56 Robach       | Cousins        |
| s25 Connor      | Thompson        | s15 Maltese     | s13 Sabini       | s60 Thompson   |
| s50 DeFrancisco | s10 Huntley     | s05 Marcellino  | s41 Saland       | s03 Trunzo     |
| s32 Diaz        | s07 Johnson, C. | s62 Maxiarrr    | s19 Sampson      | s49 Valesky    |
| s17 Dilan       | s04 Johnson, O. | s18 Montgomery  | s23 Savino       | s59 Volker     |
| s29 Duane       | s34 Klein       | s38 Morahan     | s31 Schneiderman | s53 Winner     |
| s44 Farley      | s26 Krueger     | s54 Nozzolio    | s28 Serrano      | s48 Wright     |
| s02 Flanagan    | s27 Kruger      | s12 Onorato     | s51 Seward       | s57 Young      |
| s08 Fuschillo   | s24 Lanza       | s37 Oppenheimer | s09 Skelos       |                |

**IN ASSEMBLY**

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the  
multi-sponsorship of this proposal:

|                   |                  |                   |                 |                  |
|-------------------|------------------|-------------------|-----------------|------------------|
| a049 Abbate       | a010 Conte       | a098-Gunther      | a027 Mayersohn  | a076 Rivera, P.  |
| a001 Alessi       | a032 Cook        | a139 Hawley       | a112 McDonald   | a056 Robinson    |
| a021 Alfano       | a107 Crouch      | a148 Hayes        | a019 McDonough  | a067 Rosenthal   |
| a084 Arroyo       | a063 Cusick      | a083 Heastie      | a104 McEneny    | a012 Saladino    |
| a118 Aubertine    | a045 Cymbrowitz  | a028 Hevesi       | a017 McKeVitt   | a113 Sayward     |
| a035 Aubry        | a138 DelMonte    | a048 Hkind        | a102 Miller     | a029 Scarborough |
| a136 Bacalles     | a116 Destito     | a018 Hooper       | a052 Millman    | a140 Schimminger |
| a099 Ball         | a086 Diaz, L.    | a144 Hoyt         | a103 Molonaro   | a145 Schroeder   |
| a124 Barclay      | a085 Diaz, R.    | a060 Hyer-Spencer | a132 Morelle    | a122 Scozzafava  |
| a014 Barra        | a081 Dinowitz    | a042 Jacobs       | a037 Nolan      | a038 Seminerio   |
| a082 Benedetto    | a114 Duprey      | a095 Jaffee       | a128 Oaks       | a064 Silver      |
| a079 Benjamin     | a003 Eddington   | a057 Jeffries     | a069 O'Donnell  | a093 Spano       |
| a073 Bing         | a004 Knglebright | a131 John         | a137 O'Mara     | a121 Stirpe      |
| a055 Boyland      | a130 Errigo      | a074 Kavanagh     | a051 Ortiz      | a011 Sweeney     |
| a008 Boyle        | a072 Espaillet   | a100 Kirwan       | a150 Parment    | a110 Tedisco     |
| a089 Bradley      | a071 Farrell     | a129 Kolb         | a088 Poulin     | a002 Thiele      |
| a044 Brennan      | a005 Fields      | a135 Koon         | a141 Peoples    | a031 Titus       |
| a092 Brodsky      | a123 Finch       | a034 Lafayette    | a039 Paralta    | a105 Tonko       |
| a046 Brook-Krasny | a007 Fitzpatrick | a025 Lancman      | a058 Perry      | a054 Towns       |
| a147 Burling      | a143 Gabryszak   | a091 Latimer      | a023 Pheffer    | a115 Townsend    |
| a117 Butler       | a090 Galef       | a013 Lavine       | a068 Powell     | a015 Walker      |
| a101 Cahill       | a133 Gantt       | a050 Lentol       | a087 Fratlow    | a041 Weinstein   |
| a096 Calhoun      | a036 Gianarie    | a125 Lipton       | a146 Quinn      | a020 Weisenberg  |
| a043 Camara       | a149 Giglio      | a127 Lopez, P.    | a097 Rabbitt    | a024 Weprin      |
| a106 Canestrari   | a066 Glick       | a053 Lopez, V.    | a009 Raia       | a070 Wright      |
| a026 Carrozza     | a040 Gordon, D.  | a126 Lupardo      | a006 Ramos      | a022 Young       |
| a119 Christensen  | a108 Gordon, T.  | a111 Magee        | a134 Reillich   | a094 Zebrowski   |
| a033 Clark        | a075 Gottfried   | a120 Magnarelli   | a109 Reilly     | a016             |
| a142 Cole         | a065 Grannis     | a059 Maisel       | a078 Rivera, J. | a061             |
| a047 Colton       | a077 Greene      | a030 Markey       | a080 Rivera, N. | a062             |

1) Single House Bill (introduced and printed separately in either or both  
houses). Uni-Bill (introduced simultaneously in both houses and printed as one  
bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2 signed  
copies of bill and 4 copies of memorandum in support (single house); or 4 signed  
copies of bill and 8 copies of memorandum in support (uni-bill).

1 Section 1. The alcoholic beverage control law is amended by adding a  
2 new section 55-a-1 to read as follows:

3 § 55-a-1. Stadium vendor permit. 1. No person shall possess or carry  
4 and offer to sell containers of beer while stationed in or moving about  
5 the seating areas or other patron-occupied areas of a baseball park,  
6 race track, or other athletic field or stadium where admission fees are  
7 charged unless such person shall have a stadium vendor permit.

8 2. A stadium vendor permit shall authorize the permittee to offer for  
9 sale beer to patrons in the seating area or other patron-occupied areas  
10 of a baseball park, race track, or other athletic field or stadium where  
11 an admission fee is charged. The stadium vendor permit shall set forth  
12 the name, address and license number of the licensee for which the  
13 stadium vendor works, and such stadium vendor shall not work for any  
14 licensee whose name does not appear upon such permit. Violations commit-  
15 ted by the stadium vendor permittee shall be the basis for disciplinary  
16 proceedings against both the stadium vendor permittee and the licensee  
17 employing the stadium vendor permittee.

18 3. The fee for a stadium vendor permit shall be ten dollars per year,  
19 or for any part thereof, and the permit shall be issued for the calendar  
20 year.

21 4. Notwithstanding the foregoing provisions of this section, the hold-  
22 er of a license issued pursuant to section fifty-five-a of this article  
23 may apply to the liquor authority for an annual temporary stadium vendor  
24 employment permit. Such permit shall authorize the holder of a license  
25 issued pursuant to section fifty-five-a of this article to employ one or  
26 more persons as a stadium vendor for a period of not exceeding thirty  
27 consecutive working days provided that within twenty days after such  
28 employee has been employed as a stadium vendor, such employee shall file

1 his or her application for a stadium vendor permit with the liquor  
2 authority. The license fee for a temporary stadium vendor employment  
3 permit shall be thirty dollars per year, or for any part thereof, and  
4 the permit shall be issued for the calendar year. Such permit and the  
5 exercise of the privileges hereby granted thereunder, shall be subject  
6 to such terms and conditions as may be prescribed by the liquor authori-  
7 ty.

8 § 2. This act shall take effect on the first day of the month that  
9 begins at least ninety days after the date on which it shall have become  
10 a law.