

# S.6785 (Skoufis)

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<b>BILL</b> S.6785 (Skoufis)
<b>SUBJECT</b> Revisions to the ABC Law
<b>DATE</b> May 12, 2023
<b>SUPPORT</b>

The Business Council of New York State strongly supports this bill which would amend the current Alcoholic and Beverage Control Law to add the 18 recommendations made by the bipartisan ABC Law Revision Commission.

As part of the 2023-2023 New York State Budget, the ABC Law Revision Commission was formed to look at the ABC Law and discuss many of the archaic provisions that remain in the current law. The Commission, which included industry and business representatives nominated by the Governor, Senate Majority Leader, Senate Minority Leader, Speaker and Assembly Minority Leader, was charged with examining 28

specific provisions and making recommendations. From that process the Commission approved 18 changes to the ABC Law. These changes were vetted through open discussion and debate within the Commission.

As a member of the Commission, The Business Council supported all 18 recommendations as we see changes to the ABC Law as a necessary step in creating more jobs and economic development opportunities within New York State. Some of the provisions recommended for change are much needed updates to the ABC Law. For example, when Prohibition ended New York decided to only allow a person to own and operate one liquor store. At the time this provision made sense since drinking prior to Prohibition was very high and there was a concern by lawmakers that society would move back to its pre-Prohibition consumption. The concept of the one store owner was that having one store owner would allow for a neighborhood store dynamic in which the owner would be a fabric of the community and be able to identify underage drinkers from the neighborhood or those who had alcohol problems. The problem with this provision is that society has changed. Consumption is not close to pre-Prohibition numbers and the concept of the neighborhood - onsite store owner is no longer a true reflection of today's ownership. Additionally, an individual can own an unlimited number of licensed bars or restaurants which runs counter to this concept of the liquor store single owner being necessary for underage drinking prevention. Instead, what this provision has done is prevent entrepreneurs from being able to expand and grow their business and in turn hurting New York wine and distilled products who potentially could have more outlets to sell their product. This is just one example but we also hope that this particular change is expended past the authorization of 2 licenses per owner. Again, society has changed so we hope that the sponsor considers a more expansive change to this law or considers similar legislation found in 11 other states that creates a "cap and value" program that creates value in a liquor license.

This is just one example of the 18 recommendations that are common sense changes to the outdated provisions within the ABC Law. We believe that these common sense changes will lead to economic growth and job expansion as the statute will become easier for individuals to navigate the complex ABC Law which often thwarts entrepreneurship.

Finally, we also urge the legislature to consider other items that did not get recommended by the Commission. These items should be a separate discussion from this bill but issues such as expanding the hours to sell beer on Sunday and allowing

wine to be sold in grocery stores should be an ongoing discussion. But for the purposes of this bill, The Business Council strongly supports this legislation.

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