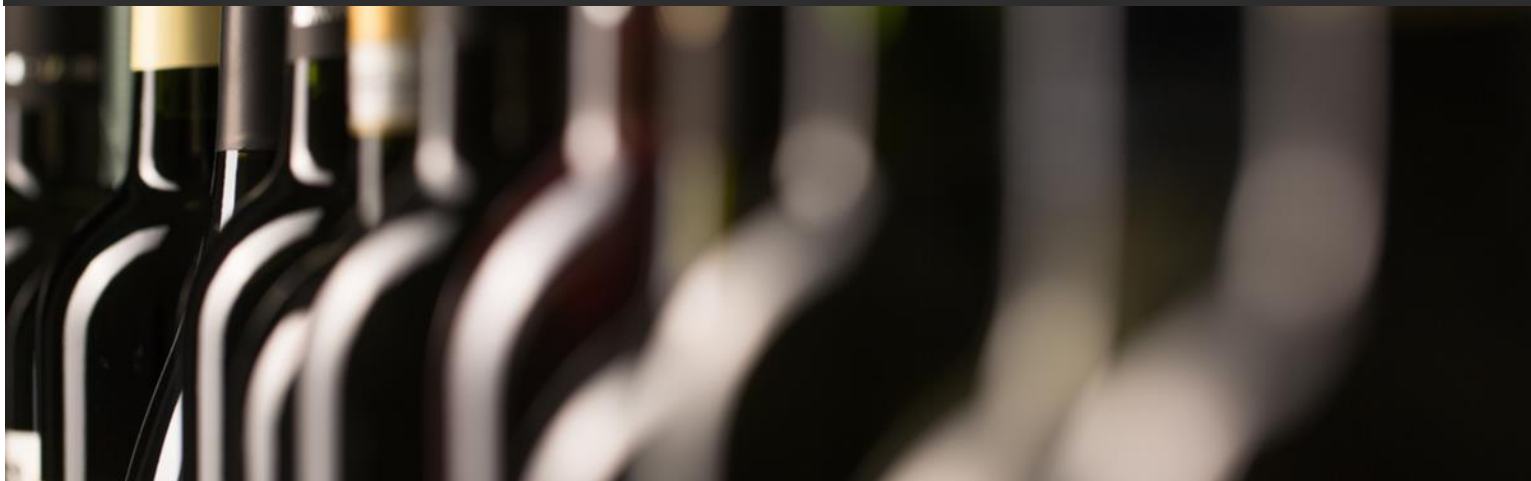


**Alert | New York Government Law & Policy /  
Food, Beverage & Agribusiness**



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## **New York's New Alcohol Beverage Control Law Amendments Affect State Liquor License Applicants**

New York liquor license applicants, take note: The Fiscal Year 2025 New York State Budget enacted on April 20, 2024, contains several provisions affecting you. In an April 22 [press release](#), the State Liquor Authority (SLA) summarizes amendments to the New York Alcohol Beverage Control (ABC) Law. This GT Alert reviews these changes. [Click here to view the legislation](#).

- **Submission of Applications During Community Notice Period:** The SLA had required that new retail liquor license applicants provide 30 days' notice to the local community board (in NYC) or municipality (outside of NYC) before submitting applications to the SLA. Pursuant to the amendments, applicants must still provide this notice, but they may submit their applications while the 30-day notice period is pending rather than having to wait at least 30 days. This may allow applicants to shave a few weeks off the application process, which may take 10 months or more for new applications to be processed by the SLA.
- **Outdoor One-Day Catering Permits:** Licensed establishments or caterers may seek one-day permits to cater an event at a location where they are not otherwise permitted to do so pursuant to the parameters of their licenses, such as a catering hall or a site where a liquor application is pending. Prior to the FY25 budget, these catering permits could only be secured for indoor events. Now, one-day catering permits may be issued for indoor and outdoor events, removing the necessity for some applicants to construct tents or other coverings to obtain these permits.

- **One-Day Liquor Permits:** The ABC Law has allowed entities not in the hospitality business, such as nonprofits, to obtain a one-day beer and wine permit for special events, such as fundraisers. Going forward, these entities may seek one-day full liquor permits as well.
- **Liquor Stores Above Street Level:** Liquor stores are no longer required to have a street-level entrance.
- **Temporary Wholesale Permits:** Wholesalers are the middlemen between retailers and manufacturers in the alcohol distribution process. They now will be able to apply for temporary wholesaler permits while their full license application is pending.
- **Temporary Retail Permits:** In 2023, New York City liquor license applicants were given the opportunity to apply for temporary retail licenses. The FY25 Budget extends this law until October 2025. However, the budget does not change the provision preventing full liquor license applicants in NYC whose proposed establishments are within 500 feet of three or more liquor licenses, where there has not been a licensed retailer on that site within the past two years, from seeking temporary permits.
- **Cocktails To-Go:** **Legislation** was enacted as part of New York State's FY 2023 budget to allow for take-out alcoholic beverages. The sunset of this law has been extended from 2025 to 2030.
- **Expansion of Movie Theater Licenses:** Traditional movie theaters had been limited to serving beer and wine unless they also qualified as a restaurant. Moving forward they may also serve spirits, even if they do not serve restaurant-level entrees. Movie theaters will also not be required to offer food on the level of sandwiches and salads to be able to serve alcohol; traditional movie snacks such as popcorn and candy are now sufficient.
- **Outdoor Dining Permanent:** Outdoor dining became a refuge for New York residents, especially in New York City, during the pandemic. The law that allows for non-contiguous public space separated by a public sidewalk or bike lane to be added through an alteration application to an indoor restaurant's license, subject to the approval of the local municipality has been made permanent.

Those pursuing state and/or national liquor licenses should consult with experienced counsel for guidance on the application and community outreach process.

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