



Legislation Details (With Text)

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Title: Resolution in support of legislation pending in the New York State Legislature that seeks to penalize businesses that are not licensed by the State Liquor Authority for selling alcohol to minors.

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Res. No. 59

Resolution in support of legislation pending in the New York State Legislature that seeks to penalize businesses that are not licensed by the State Liquor Authority for selling alcohol to minors.

By Council Members Rodriguez, Fidler, Rivera, Vann, Mendez, Chin, Crowley, Ferreras, James, Lander, Mealy, Williams, Halloran and Koo

Whereas, Underage alcohol use among youth is widespread and poses a problem to our communities in New York City; and

Whereas, Alcohol abuse among youths can lead to dangerous consequences including drunk driving and alcohol addiction; and

Whereas, We must protect our children and deter underage alcohol consumption as much as possible; and

Whereas, Laws do exist prohibiting underage drinking, including the New York State penal law, which prohibits adults from buying for or selling alcohol to minors who are below the age of 21; any adult who violates this law is charged with an A misdemeanor resulting in a fine of no more than \$1,000 and the

possibility of up to one year in jail; and

Whereas, Despite these laws, reports have surfaced that bodegas and barbershops have been illegally selling a drink called “nutcracker” to children as young as 14; and

Whereas, Nutcracker drinks are sold in cups and contain flavored juice mixed with a shot of vodka; some people claim that nutcracker drinks are strong enough to give minors a strong “buzz” and provide an entree into alcoholism; and

Whereas, There are five stores-bodegas and barbershops-in Upper Manhattan and the Bronx that allegedly sold nutcracker drinks to minors during the 2009 holiday season; and

Whereas, Adults and store owners who blatantly violate our laws and who facilitate teenage drinking should be punished; and

Whereas, State Senator Schneiderman and Assemblymember Espaillat have introduced legislation in the state legislature that is specifically focused on stopping bodegas and barbershops in New York City and New York State from selling alcohol to minors; and

Whereas, The bill (S6442/ A9533), sponsored by State Senator Schneiderman and Assemblymember Espaillat, seeks to amend the general business law (which pertains to barbershops) and the alcoholic beverage control (ABC) law: the bill would establish penalties for barbershops who sell alcohol to persons under the age of twenty-one years which would entail possible suspension or revocation of the barbershop license, and increase fines and length of imprisonment consisting of at least 60 days in jail for the sale of alcoholic beverages without having the appropriate liquor license; and

Whereas, In light of the increasing reports of underage drinking facilitated by bodegas and barbershops and the lack of adequate deterrence by current laws, this legislation provides a necessary enhancement to the penalties that exist for adults and store owners who sell alcohol to our children; now, therefore, be it

Resolved, That the Council of the City of New York supports legislation pending in the New York State Legislature that seeks to penalize businesses that are not licensed by the State Liquor Authority for selling

alcohol to minors.

SA
LS# 342
2/22/2010