



New York Association
of Convenience Stores

End of 2023 Legislative Session: NYACS Issues Report

June 14, 2023

The 2023 Regular Legislative Session ended this weekend with a lot of the issues NYACS was tracking left unaddressed, which isn't necessarily a bad thing. The State Assembly has announced it will return on June 20 to finish their legislative work.

- **SUNDAY BEER SALES:** One of the victories from this session is the passage of a bill that allows for beer sales on Sundays between 3am and 8am. NYACS strongly supported closing this loophole, which will have a positive impact on sales and eliminate the awkward logistics of limiting sales during these hours. Once signed by the Governor this law will take effect immediately. NYACS will issue an alert once it is official.
- **REQUIRED MENUS:** NYACS was successful in our efforts to amend a bill that would have required all retailers selling beer and food to have tangible menus for customers. The amended version no longer includes c-stores.
- **BOTTLE BILL:** The proposed expansion of the Bottle Bill to liquor and wine bottles along with an increased handling fee and deposit did not get approved this session. NYACS was heavily involved in negotiations, however, and offered amendments that would make it easier for c-stores to work with redemption centers on bottle return. Our amendments were viewed favorably by many including the Senate sponsor who made some slight adjustments to her bill. We expect to work with the Legislature and other

industry partners on this issue throughout the summer and fall. As always please elevate any bottle bill horror stories for Kent to share with the Legislature.

- **DIET PILLS:** A bill passed late in session that will require retailers to ask for identification when selling diet pills. A previous version of this bill was vetoed last year and NYACS worked with both sponsors of the bill in an effort to make the bill more palatable. While the sponsors were receptive to some amendments they unfortunately included language that allows student IDs to be used and enables the Attorney General to enforce the provisions of the bill. The language of the bill also seems to capture products like Celsius Drinks. It is a bill in search of a problem and poorly drafted. We will be working with the Governor's office in an effort to force more amendments or a veto.
- **EV REQUIREMENTS:** For the second session in a row this bill, which would require EV charging stations for all new construction, failed to pass. NYACS strongly opposed this bill as too broad and wasteful.
- **ZONE PRICING:** The annual effort to ban zone pricing failed once again. This bill uses outdated data and shows a lack of understanding about how the motor fuel retail market functions. There was no Senate sponsor of the bill this year but NYACS will continue to oppose it in every form.
- **WINE-IN-GROCERY STORES:** A last minute bill introduction did not pass, however, this and other alcohol-reform laws will most likely be a major agenda item in 2024. NYACS will be working with Executive and Legislative partners as we seek approval to sell spirits-based cocktails in a can and oppose any mission creep that may occur in this space.

NYACS' summer and fall legislative homework will include illegal tobacco enforcement proposals, alcohol-law reform, the bottle bill, credit card fee relief, and pump-topper elimination.