

HOSPITALITY AND TOURISM

INFORMATION MEMO

FEBRUARY 12, 2024

New York State Liquor Authority Backlog and Temporary Retail Permits

For years, applicants applying for New York State liquor licenses have relied on Temporary Retail Permits to allow them to get up and running quicker. These permits can be issued by the New York State Liquor Authority much more quickly than the “permanent” licenses being applied for, and they allow the business to start selling alcohol while the Liquor Authority processes the full application package.

Due to increasing backlogs at the Liquor Authority, however, businesses may find that it takes much longer to get the Temporary Retail Permit issued. That now often takes six to eight weeks (or sometimes more). The Temporary Retail Permit is generally issued for a 90-day period and can be renewed for successive 30-day periods. Businesses are also likely to find that the Temporary Retail Permit must be renewed for a much longer period of time until the full application is reviewed (which may take six to twelve months).

To address this, the Liquor Authority is now allowing businesses to apply for up to three 30-day Temporary Retail Permit Renewals at the same time. This will decrease the administrative burden on the business and on the Liquor Authority.

Businesses operating under a Temporary Retail Permit should keep in mind the following:

1. When using the option to renew for three months at a time, the fees are non-refundable. Therefore, after the six or nine month mark, the business may want to start renewing for just one month at a time.
2. An application to renew the Temporary Retail Permit may be accepted up to 15 days after the current Permit expires.
3. While operating under a Temporary Retail Permit, all inventory from distributors must be purchased only by cash or check if the business does not hold other retail liquor licenses.
4. The Temporary Retail Permit can be canceled or suspended at any time by the Liquor Authority.
5. If a business receives a conditional approval of its full license application, the Temporary Retail Permit cannot be further renewed, so the applicant should submit those required conditions as quickly as possible.

Jennifer Tsyn represents businesses and individuals in a variety of business law matters, with a focus on liquor licensing issues. If you have any questions about this information memo, please contact Jennifer or any member of Bond’s [hospitality and tourism practice](#).

