



ANDREW M. CUOMO
Governor

LILY M. FAN
Commissioner

VINCENT G. BRADLEY
Chairman

GREELEY FORD
Commissioner

ADVISORY #2020-24

To: All licensees and permittees

Subject: Alternate penalties in disciplinary proceedings

Unless otherwise stated in the Notice of Disposition, any civil penalty imposed by the Members of the Authority shall be due and payable no later than 28 days after the date of the Notice of Disposition. In the event a licensee or permittee fails to submit payment for a civil penalty within the time provided in the Notice of Disposition, an alternate penalty will be imposed as follows:

<u>Original penalty</u>	<u>Alternate penalty</u>
No more than \$1,000	\$1,000 bond claim
\$1,001 to \$1,500	\$1,000 bond claim and 7-day suspension
\$1,501 to \$2,500	\$1,000 bond claim and 14-day suspension
\$2,501 to \$3,500	\$1,000 bond claim and 21-day suspension
\$3,501 to \$4,000	\$1,000 bond claim and 28-day suspension
\$4,001 to \$5,000	\$1,000 bond claim and 35-day suspension
\$5,001 to \$10,000	\$1,000 bond claim and cancellation of license
More than \$10,000	\$1,000 bond claim and revocation of license
Suspension and any civil penalty	\$1,000 bond claim and cancellation of license
Cancellation and any civil penalty	\$1,000 bond claim and revocation of license

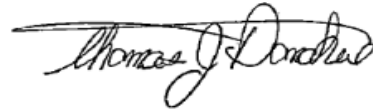
If, at the time for the imposition of the alternate penalty, the license has expired, been surrendered or placed in safekeeping, an alternate penalty of a bond claim and suspension shall be replaced with a penalty of bond claim and cancellation.

If, at the time for the imposition of the alternate penalty, there is no bond available to claim, an alternate penalty of a bond claim and suspension: shall be replaced with a penalty of cancellation if the license has expired, been surrendered or placed in safekeeping; or, if the license is active, an additional 10 days shall be added to the suspension.

In the case of a wholesaler or manufacturer, the bond claim imposed as an alternate penalty shall be the full amount of the bond when the original penalty exceeds \$5,000.

This matter was heard and determined by the Members of the Authority at a Full Board meeting held on September 30, 2020 before Chairman Vincent Bradley, Commissioner Lily Fan, and Commissioner Greeley Ford. The above written advisory was approved by the Members of the Authority on September 30, 2020.

Dated: 10/1/20



Thomas J. Donohue
Secretary to the Authority