

ASSEMBLY, No. 3585

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED JANUARY 13, 2009

Sponsored by:

Assemblyman JOSEPH CRYAN

District 20 (Union)

Assemblywoman L. GRACE SPENCER

District 29 (Essex and Union)

SYNOPSIS

Extends time period for renewal of lapsed alcoholic beverage retail licenses.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/1/2009)

1 AN ACT concerning retail alcoholic beverage licenses and amending
2 P.L.1947, c.94.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 6 of P.L.1947, c.94 (C.33:1-12.18) is amended to read
8 as follows:

9 6. **[Nothing]** In any case in which a timely renewal was not
10 filed, nothing in this act shall be deemed to prevent the issuance of
11 a new license to a person who files an application therefor within
12 **[60 days]** five years following the expiration of the license renewal
13 period, but who pays the municipal and State renewal fees for each
14 year for which a timely renewal application was not filed, if the
15 director shall determine in writing that the applicant's failure to
16 apply for a renewal of his license was due to circumstances beyond
17 his control or other extraordinary circumstances.

18 Any request for relief under this section shall be filed not later
19 than five years following the expiration of the license which was
20 not renewed in a timely manner and shall be accompanied by a
21 nonreturnable filing fee of \$100.00 payable to the director for each
22 license term.

23 A new license issued pursuant to this section shall be assigned
24 the same license number as the license which was not renewed in a
25 timely manner.

26 (cf: P.L.1992, c.188, s.7)

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28 2. This act shall take effect immediately.

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STATEMENT

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33 Under current law, an issuing authority may issue a new retail
34 alcoholic beverage license to a licensee who did not file a timely
35 license renewal if (1) the licensee files an application within 60
36 days of the license expiration date, and (2) the Director of the
37 Division of Alcoholic Beverage Control determines that the
38 applicant's failure to apply for renewal of the license was due to
39 circumstances beyond his or her control.

40 This bill permits an issuing authority to issue a new plenary
41 retail consumption license to a licensee who did not file timely
42 renewal but files an application within five years after the
43 expiration of the license renewal period. The issuing authority
44 would be permitted to issue the new license only if the director
45 determines that the applicant's failure to apply for a renewal of his

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

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1 license was due to circumstances beyond his control or other
2 extraordinary circumstances. The licensee would be required to pay
3 the municipal and State renewal fees for each year for which a
4 timely renewal application was not filed.

5 The licensee must file the request no later than five years after
6 the expiration of the license which was not renewed in a timely
7 manner. A filing fee of \$100 is payable to the director for each
8 license term.

9 A new license issued pursuant to this bill would be assigned the
10 same license number as the license which was not renewed in a
11 timely manner.