SYNOPSIS
Permits holders of certain alcoholic beverage licenses to be issued amusement game license and updates definition of recognized amusement park.

CURRENT VERSION OF TEXT
As introduced.

(Sponsorship Updated As Of: 7/24/2015)
AN ACT permitting holders of certain alcoholic beverage licenses to
be issued an amusement game license and updating the definition
of a recognized amusement park and amending P.L.1959, c.109
and supplementing P.L.1959, c.108 (C.5:8-78 et seq.).

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

1. (New section) The holder of a plenary retail consumption
license, as defined in R.S.33:1-12, whose licensed premises is at
least 20,000 square feet, shall be eligible to be issued for the
licensed premises an amusement game license pursuant to P.L.1959,
c.109 (C.5:8-100 et seq.), provided that the licensed premises
includes at least 100 amusement games and all other requirements
for licensure to conduct amusement games are met.

2. Section 2 of P.L.1959, c.109 (C.5:8-101) is amended to read
as follows:

2. It shall be lawful for the governing body of any
municipality, at any time after this act shall become operative and
except when prohibited by this act, to license the owner and
operator of any amusement game or games, whether of skill or
chance, or both and whether said game be played and operated with
or without numbers or figures, to hold and operate such amusement
game or games, which term is defined as a game or games played
for amusement or entertainment, in which the person or player
actively participates and the outcome of which is not in the control
of the operator, and which is so conducted that the sale of a right to
participate, the event which determines whether a player wins or
loses and the award of the prize, all occur as a continuous sequence
at the time when and place where the player or players are all
present, provided that the same are to be held and operated at a
recognized amusement park or at a seashore or other resort in that
part thereof customarily constituting an amusement or
entertainment area according to the customary understanding of said
terms in the community, and provided that the same shall be held,
operated and conducted pursuant to this act and such license and the
license issued by the State Amusement Games Control
Commissioner, as hereinafter provided, and under such conditions
and regulations for the supervision and conduct thereof as shall be
prescribed by rules and regulations duly adopted from time to time
by the Amusement Games Control Commissioner, not inconsistent
with the provisions of this act, and for any person or persons to
participate in and play such amusement games conducted under
such licenses.

**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.
“Recognized amusement park” means a commercially operated permanent business, open to the public at least 31 consecutive days annually, the location of which is designed and themed for the primary purpose of providing participatory amusements incorporating skill-based attractions, rides or water slides licensed in accordance with P.L.1975, c.105 (C.5:3-31 et seq.), and food and merchandise concessions in permanent structures. Nothing in this definition shall prevent a license from being issued in any location which has had a license issued prior to the effective date of P.L., c. (C.) (pending before the Legislature as this bill).

“Skill-based attraction” means an amusement utilizing a tangible object such as a ball, puck or other portable object either alone or in competition with other on-premises guests, or requiring the exertion of physical, aerobic activity, such as dancing, climbing, running, or jumping rope; or any amusement that is predominantly skill-based and can be played in competition with other on-premises guests.

(cf: P.L.1959, c.109, s.2)

3. This act shall take effect immediately.

STATEMENT

This bill provides that the holder of a plenary retail consumption license, which permits the sale of alcoholic beverages for consumption on the licensed premises and whose licensed premises is at least 20,000 square feet, would be eligible to be issued an amusement games license for that premises, provided that the licensed premises includes at least 100 amusement games and all other requirements for licensure to conduct amusement games are met. In addition, this bill codifies and updates the definition of “recognized amusement park” to change the term “acreage” to “location” and include “skill-based attractions.” The bill would supersede an administrative rule, N.J.A.C.13:3-1.7, that currently prohibits the issuance of an amusement game license for a premises that is licensed to sell alcoholic beverages, and would codify and amend an administrative rule, N.J.A.C.13:3-1.1, to change acreage to location and include “skill-based attractions” in the definition of “recognized amusement park”