

ASSEMBLY, No. 3105

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED FEBRUARY 22, 2016

Sponsored by:

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Senator RICHARD J. CODEY

District 27 (Essex and Morris)

Senator RONALD L. RICE

District 28 (Essex)

Co-Sponsored by:

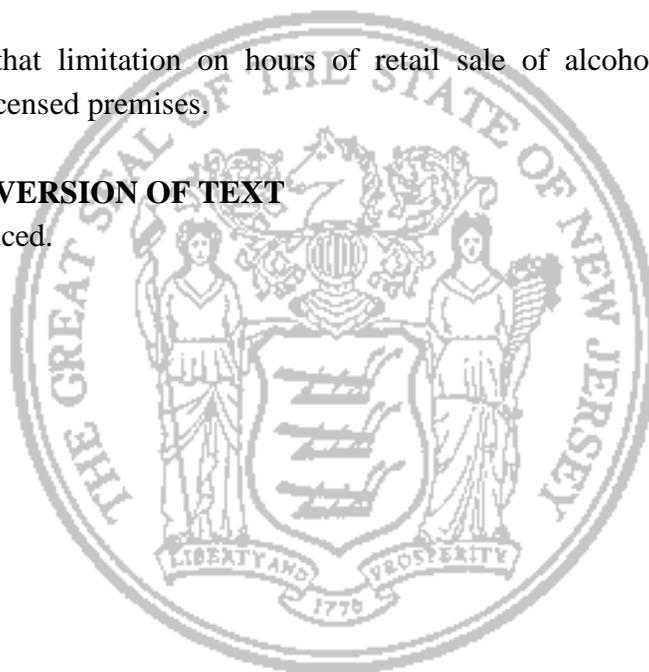
**Assemblymen Egan, Diegnan, Assemblywoman Pintor Marin and
Assemblyman Giblin**

SYNOPSIS

Provides that limitation on hours of retail sale of alcohol be consistent throughout licensed premises.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/6/2018)

1 AN ACT concerning the sale of alcoholic beverages and amending
2 R.S.33:1-40.

3

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

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7 1. R.S.33:1-40 is amended to read as follows:

8 The governing board or body of each municipality may, as
9 regards said municipality, by ordinance, limit the number of
10 licenses to sell alcoholic beverages at retail, but any such limitation
11 adopted by ordinance or resolution prior to July first, one thousand
12 nine hundred and thirty-seven, shall continue in full force and effect
13 until repealed, amended or otherwise altered by ordinance. The
14 governing board or body of each municipality may, as regards said
15 municipality, by ordinance or resolution, limit the hours between
16 which the sale of alcoholic beverages at retail may be made,
17 provided the hours are the same throughout the interior of the
18 licensed premises, prohibit the retail sale of alcoholic beverages on
19 Sunday, and, subject to the approval of the **[commissioner]** director
20 first obtained, regulate the conduct of any business licensed to sell
21 alcoholic beverages at retail and the nature and condition of the
22 premises upon which any such business is to be conducted. The
23 aforesaid limitations of number of licenses and of hours of sale
24 shall be subject respectively to appeal to the **[commissioner]**
25 director, as hereinafter provided.

26 The governing board or body of each municipality may make,
27 enforce, amend and repeal such ordinances as it may deem
28 necessary to prevent the possession, sale, distribution and
29 transportation of alcoholic beverages within its municipality in
30 violation of this chapter.

31 The governing board or body of each municipality may, by
32 ordinance, enact that no more than one retail license shall be
33 granted to any person in said municipality and that said license shall
34 cover only the licensed premises; but nothing herein contained shall
35 operate to disqualify a guardian, executor, administrator, trustee,
36 receiver, or any other fiduciary or court officer from obtaining or
37 from holding more than one such license in different official
38 capacities.

39 (cf: R.S.33:1-40)

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41 2. This act shall take effect immediately.

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STATEMENT

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46 This bill provides that the limitation on the hours of the retail

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.

A3105 CAPUTO, TUCKER

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1 sale of alcohol be consistent throughout the licensed premises.
2 Under current law, a municipality may impose limitations on the
3 hours that alcoholic beverages may be sold at retail. Under the
4 provisions of this bill, municipalities may impose these limitations,
5 provided that the hours are same throughout the licensed premises.
6 For example, in an establishment that has a bar and a restaurant, a
7 municipality could not require the bar to close earlier than the
8 restaurant.