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)
AN ACT concerning the sale of alcoholic beverages and amending  

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

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

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until repealed, amended or otherwise altered by ordinance.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

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

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

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

2. This act shall take effect immediately.

STATEMENT

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.
sale of alcohol be consistent throughout the licensed premises.

Under current law, a municipality may impose limitations on the
hours that alcoholic beverages may be sold at retail. Under the
provisions of this bill, municipalities may impose these limitations,
provided that the hours are same throughout the licensed premises.

For example, in an establishment that has a bar and a restaurant, a
municipality could not require the bar to close earlier than the
restaurant.