The Assembly Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 1478.

As amended and reported by the committee, Assembly Bill No. 1478 reduces from 1,000 to 50 the number of seats a theater is required to have in order for a nonprofit corporation to apply for a retail license to serve alcoholic beverages on the theater premises. The nonprofit corporation must be one that regularly conducts musical or theatrical performances or concerts, for which admission is charged, and uses the license in connection with a premises primarily used for such activity.

The amended bill allows the sale of alcoholic beverages on the theater premises for two hours immediately preceding performances and during performances, including intermission. The amended bill allows theaters with a seating capacity of 1,000 or more persons to sell alcoholic beverages for two hours immediately following performances. Theaters with a seating capacity between 50 and 1,000 people also would be permitted to sell alcoholic beverages for two hours immediately following performances, but only for 15 or fewer performances per year.

Under current law, municipalities are authorized to issue a special plenary retail consumption license, known as a “theater license,” to a nonprofit corporation which conducts musical or theatrical performances or concerts on the premises if there is a seating capacity of 1,000 persons or more. A licensee may serve alcoholic beverages only on the premises and only during the performance, as well as two hours before and two hours after the performance.

This bill was pre-filed for introduction in the 2018-2019 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS

The committee amendments:

1) reduce to 50 the number of seats that a theater is required to have in order for a nonprofit corporation to apply for a license to serve alcoholic beverages on the theater premises;
2) allow the sale of alcoholic beverages two hours immediately prior to theatrical and musical performances and during performances, including intermission;

3) allow theaters with a seating capacity of 1,000 persons or more to sell alcoholic beverages for two hours immediately following performances; and

4) allow theaters with a seating capacity between 50 and 1,000 people to sell alcoholic beverages for two hours immediately following performances, but only for 15 or fewer performances per year.