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District 21 (Morris, Somerset and Union)
Senator PATRICK J. DIEGNAN, JR.
District 18 (Middlesex)

Co-Sponsored by:
Senators Bateman, A.R.Bucco, Oroho, Weinberg, Thompson and Rice

SYNOPSIS
Permits certain breweries to sell beer at seasonal farm markets.

CURRENT VERSION OF TEXT
Introduced Pending Technical Review by Legislative Counsel.
S511 T.KEAN, DIEGNAN

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AN ACT concerning alcoholic beverages and supplementing Title 33
of the Revised Statutes.

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

1. a. As used in this section:
   “Growler” means a re-sealable container that holds 32, 64, or
   128 ounces of beer.
   “Roadside farm stand” means a location owned by a single
   farmer or producer at which the farmer or producer sells
   agricultural products from the farmer’s or producer’s farm directly
   to consumers.
   b. The director may, subject to rules and regulations, issue to
   the holder of a limited brewery license or restricted brewery license
   a permit to sell beer produced by the brewery at a seasonal farm
   market for consumption off the premises of the seasonal farm
   market. A person shall obtain a separate permit for each seasonal
   farm market where the person intends to sell beer. The director may
   issue a permit to sell beer at a seasonal farm market located in a
   municipality where the sale of alcoholic beverages has been
   prohibited by referendum under R.S.33:1-44 through R.S.33:1-47 if
   the municipality passes a municipal ordinance or resolution
   authorizing the sale of beer at a seasonal farm markets. The
   director shall not issue a permit if a municipal board of alcoholic
   beverage control or the governing body of the municipality
   prohibits the sale of beer at seasonal farm markets. The
   director shall not issue a permit pursuant to this section for use in
   connection with a roadside farm stand.
   c. Subject to rules and regulations, a person issued a permit
   pursuant to this section may:
      (1) transport beer for the purpose of selling it at a seasonal farm
          market; and
      (2) offer up to four three-ounce samples of beer to a person of
          legal age to purchase or consume alcoholic beverages during each
          day the seasonal farm market is operating; and
      (3) sell beer only in a growler that is filled and sealed at the
          point of sale or previously filled at the permit holder’s licensed
          premises.
   d. A permit issued pursuant to this section may be a daily
      permit or an annual permit. An annual permit issued pursuant to
      this section shall be valid for one year from the date of issuance.
      The director may renew a permit provided the permit holder
      continues to hold a limited brewery license or restricted brewery
      license.
   e. The director may establish a fee not to exceed $25 for a
      daily permit and $75 for the issuance and renewal of an annual
      permit under this section.
2. This act shall take effect on the first day of the second month
next following enactment.

STATEMENT

The bill permits the Director of the Division of Alcoholic
Beverage Control to issue a permit to the holder of a limited or
restricted brewery license to sell beer in growlers at a seasonal farm
market.

Under the bill, a permit to sell beer at a seasonal farm market
would be issued for periods of one day or for one year from the date
it is issued and the annual permit may be renewed as long as the
person to whom it was issued continues to hold a limited or
restricted brewery license. The bill authorizes the director to impose
a fee not to exceed $25 for a daily permit and $75 for the issuance
or renewal of an annual permit.

Persons holding a valid permit would be entitled to transport
beer that the permit holder produced to sell at a seasonal farm
market for offsite consumption, but not able to sell it at a seasonal
farm market located in a municipality where the sale of alcoholic
beverages has been prohibited at seasonal farm markets or
otherwise. A separate permit is required for each seasonal farm
market.

The bill provides that only 32, 64, or 128 ounce growler
containers are to be sold with a permit and to limit the offering of
samples to four three-ounce samples of beer per person of legal age
per day. The definition of community farm market has been
removed and the bill now applies to seasonal farm markets. A
permit cannot be issued for a seasonal farm market in a
municipality that bans the sale of beer at seasonal farm markets,
even if the municipality otherwise permits alcohol sales. The bill
provides for a daily permit in addition to an annual permit.