

ASSEMBLY COMMERCE AND ECONOMIC DEVELOPMENT
COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 5136

STATE OF NEW JERSEY

DATED: JANUARY 13, 2021

The Assembly Commerce and Economic Development Committee reports favorably an Assembly Committee Substitute for Assembly, No. 5136.

This committee substitute concerns safety within food and beverage establishments during the coronavirus disease 2019 pandemic. The substitute reproduces the section of Executive Order No. 183 of 2020, which concerns indoor dining at food or beverage establishments. The substitute reproduces the safety regulations of that executive order, including limiting the number of patrons in an establishment to 25 percent of its indoor capacity, ensuring that seating is separated by six feet from other seating, requiring patrons to wear facial coverings, only allowing patrons to order or consume food or drinks when they are seated, only allowing patrons to order at a counter if social distancing is in effect in the establishment, otherwise only allowing food or drink delivery by employees, and requiring the establishment to abide by other health and safety regulations.

The substitute adds the option for seating to be separated by a physical barrier instead of being separated by a distance of six feet. This is intended to allow restaurants in physically smaller spaces to safely achieve their 25 percent of indoor capacity. The substitute specifically provides that its provisions do not supersede the existing fire code.

The substitute would expire upon the later of: the date of expiration, termination, or rescission of any and all executive or administrative orders issued by the Governor or Commissioner of Health establishing coronavirus-related occupancy or customer seating restrictions applicable to licensed premises; or the first day of the seventh month following the date on which the Governor declares that the state of emergency has ended.