

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[Second Reprint] **ASSEMBLY, No. 4666**

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 23, 2026

The Assembly Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 4666 (2R).

As amended, this bill permits certain for-profit movie theaters to sell alcoholic beverages under specified conditions.

Under the bill, the governing board or body of any municipality, upon the approval of the Director of the Division of Alcoholic Beverage Control, may issue a plenary retail consumption license to a for-profit entity that operates a motion picture exhibition facility, commonly known as a movie theater, for which admission is charged. A license issued under the amended bill authorizes movie theaters to sell alcoholic beverages to patrons during the hour immediately preceding and during a scheduled motion picture showing conducted on the licensed premises.

The bill requires the application for the initial issuance and renewal of each license be made to the municipal governing body on an annual basis. As amended, the fee for the initial issuance of the license is not to exceed the average sale price of the three most recent plenary retail consumption license transfers, assignments, sales, or pledges in the municipality where the license is being issued during the preceding five years, or \$250,000, whichever is the lesser amount.

As amended, the bill provides that if the movie theater is located within the boundaries of two or more municipalities, the fee for the initial issuance of the license is not to exceed the highest average sale price of a plenary retail consumption license issued within the two or more municipalities within the last five years, or \$250,000, whichever is the lesser amount. If less than three plenary retail consumption licenses have been transferred, assigned, sold, or pledged in the municipality or municipalities, as the case may be, within the previous five years, the fee for the initial issuance of the license is not to exceed \$250,000.

Under current law, a municipality may issue one plenary retail consumption license for each 3,000 of its population. This restriction would not apply to the holder of a plenary consumption license used in

connection with a qualifying motion picture exhibition facility in accordance with the bill's provisions.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) clarify that a licensed motion picture exhibition facility is authorized to sell alcoholic beverages to patrons during the hour immediately preceding and during a scheduled motion picture showing conducted on the licensed premises;

(2) provide that the fee for the initial issuance of the license is not to exceed the average sale price of the three most recent plenary retail consumption license transfers, assignments, sales, or pledges in the municipality where the license is being issued during the preceding five years, or \$250,000, whichever is the lesser amount;

(3) clarify that if a motion picture exhibition facility is located within the boundaries of two or more municipalities, the fee for the initial issuance of the license is not to exceed the highest average sale price of a plenary retail consumption license issued within the two or more municipalities within the last five years, or \$250,000, whichever is the lesser amount;

(4) clarify that if less than three plenary retail consumption licenses have been transferred, assigned, sold, or pledged in the municipality or municipalities, as the case may be, within the previous five years, the fee for the initial issuance of the license is not to exceed \$250,000;

(5) replace the synopsis to read: "Permits certain for-profit movie theaters to sell alcoholic beverages under specified conditions"; and

(6) make other technical and clarifying changes.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that the bill's provisions of establishing a new commercial movie theater category of the plenary retail consumption license will result in indeterminate increases in annual State and municipal revenues and expenditures. The OLS, however, cannot assess the direction of the net effect of the increases given the absence of information on workload increases for the Division of Alcoholic Beverage Control in the Department of Law and Public Safety and municipalities, the potential revenue to be collected from the total number of licenses, application fees, sales tax on alcoholic beverages sold, or potential penalty collections.

Under the bill, the fee for the initial issuance of the new commercial movie theater category of the plenary retail consumption license is set to not exceed \$250,000 and is to be remitted to the governing board or body of a municipality.

A license issued under the bill would not count toward the number of licenses a municipality may have under the population formula.