

ASSEMBLY, No. 1949

STATE OF NEW JERSEY

217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

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Assemblyman DECLAN J. O'SCANLON, JR.

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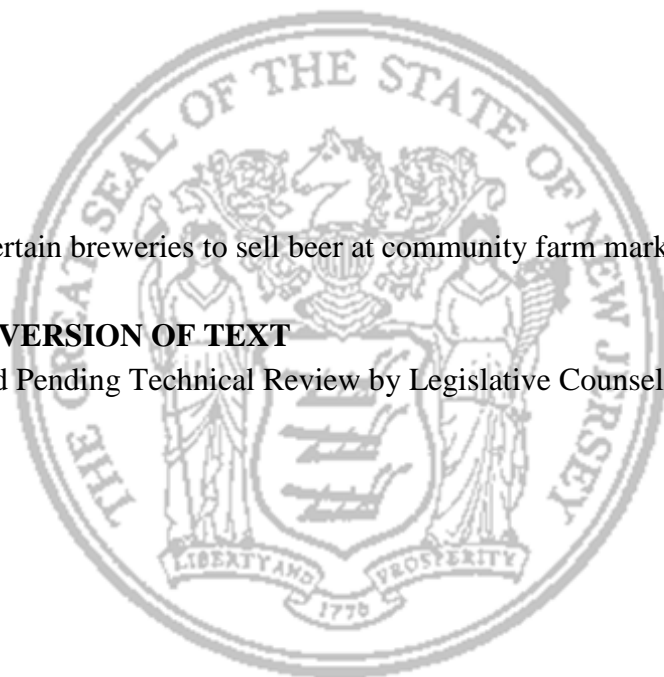
**Assemblywomen N.Munoz, Caride, Assemblymen C.A.Brown, Dancer,
Assemblywomen Lampitt and Vainieri Huttle**

SYNOPSIS

Permits certain breweries to sell beer at community farm markets.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 10/14/2016)

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

3

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

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7 1. a. As used in this section:

8 "Community farm market" means two or more producers or
9 farmers who assemble at a location used seasonally for the
10 wholesale or retail marketing and sale of the agricultural output of a
11 farm, and products that contribute to farm income, excluding
12 roadside farm stands.

13 "Roadside farm stand" means a location owned by a single
14 farmer or producer at which the farmer or producer sells
15 agricultural products from the farmer's or producer's farm directly
16 to consumers.

17 b. The director may, subject to rules and regulations, issue to
18 the holder of a limited brewery license or restricted brewery license
19 a permit to sell beer produced by the brewery at a community farm
20 market for consumption off the premises of the community farm
21 market. A person shall obtain a separate permit for each community
22 farm market where the person intends to sell beer. The director shall
23 not issue a permit to sell beer at a community farm market located
24 in a municipality where the sale of alcoholic beverages has been
25 prohibited by referendum under R.S.33:1-44 through R.S.33:1-47 or
26 municipal ordinance or resolution.

27 c. Subject to rules and regulations, a person issued a permit
28 pursuant to this section may:

29 (1) transport beer for the purpose of selling it at a community
30 farm market; and

31 (2) offer samples of beer at a community farm market.

32 d. A permit issued pursuant to this section shall be valid for
33 one year from the date of issuance. The director may renew a
34 permit provided the permit holder continues to hold a limited
35 brewery license or restricted brewery license.

36 e. The director may establish a fee not to exceed \$75 for the
37 issuance and renewal of a permit under this section.

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39 2. This act shall take effect on the first day of the fourth month
40 next following enactment.

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STATEMENT

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45 The bill permits the Director of the Division of Alcoholic
46 Beverage Control to issue a permit to the holder of a limited or
47 restricted brewery license to sell beer at a community farm market.

1 Under the bill, a permit to sell beer at a community farm market
2 would be valid for one year from the date it is issued and may be
3 renewed as long as the person to whom it was issued continues to
4 hold a limited or restricted brewery license. The bill authorizes the
5 director to impose a fee not to exceed \$75 for the issuance or
6 renewal of a permit.

7 Persons holding a valid permit would be entitled to transport
8 their beer for the purpose of selling it at a community farm market,
9 but would not be able to sell it at a community farm market located
10 in a municipality where the sale of alcoholic beverages has been
11 prohibited.

12 The bill defines a "community farm market" as two or more
13 producers or farmers who assemble at a location used seasonally for
14 the wholesale or retail marketing and sale of the agricultural output
15 of a farm, and products that contribute to farm income, excluding
16 roadside farm stands.

17 Other states, such as California, Maryland, and Washington,
18 allow certain breweries – namely, in-state microbreweries – to sell
19 their beer at farm markets. These states issue annual permits for a
20 fee of \$50 to \$100.