

SENATE, No. 511

STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Senator THOMAS H. KEAN, JR.

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.



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

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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 “Growler” means a re-sealable container that holds 32, 64, or
9 128 ounces of beer.

10 “Roadside farm stand” means a location owned by a single
11 farmer or producer at which the farmer or producer sells
12 agricultural products from the farmer’s or producer’s farm directly
13 to consumers.

14 b. The director may, subject to rules and regulations, issue to
15 the holder of a limited brewery license or restricted brewery license
16 a permit to sell beer produced by the brewery at a seasonal farm
17 market for consumption off the premises of the seasonal farm
18 market. A person shall obtain a separate permit for each seasonal
19 farm market where the person intends to sell beer. The director may
20 issue a permit to sell beer at a seasonal farm market located in a
21 municipality where the sale of alcoholic beverages has been
22 prohibited by referendum under R.S.33:1-44 through R.S.33:1-47 if
23 the municipality passes a municipal ordinance or resolution
24 authorizing the sale of beer at a seasonal farm markets. The
25 director shall not issue a permit if a municipal board of alcoholic
26 beverage control or the governing body of the municipality
27 prohibits the sale of beer at seasonal farm markets. The director
28 shall not issue a permit pursuant to this section for use in
29 connection with a roadside farm stand.

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

32 (1) transport beer for the purpose of selling it at a seasonal farm
33 market; and

34 (2) offer up to four three-ounce samples of beer to a person of
35 legal age to purchase or consume alcoholic beverages during each
36 day the seasonal farm market is operating; and

37 (3) sell beer only in a growler that is filled and sealed at the
38 point of sale or previously filled at the permit holder’s licensed
39 premises.

40 d. A permit issued pursuant to this section may be a daily
41 permit or an annual permit. An annual permit issued pursuant to
42 this section shall be valid for one year from the date of issuance.
43 The director may renew a permit provided the permit holder
44 continues to hold a limited brewery license or restricted brewery
45 license.

46 e. The director may establish a fee not to exceed \$25 for a
47 daily permit and \$75 for the issuance and renewal of an annual
48 permit under this section.

1 2. This act shall take effect on the first day of the second month
2 next following enactment.

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STATEMENT

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

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

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

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