ASSEMBLY, No. 201

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblywoman CLEOPATRA G. TUCKER
District 28 (Essex)
Assemblyman RALPH R. CAPUTO
District 28 (Essex)
Assemblyman BENJIE E. WIMBERLY
District 35 (Bergen and Passaic)
Assemblywoman ANGELA V. MCKNIGHT
District 31 (Hudson)

Co-Sponsored by:
Assemblyman Johnson and Assemblywoman Jasey

SYNOPSIS

Prohibits certain sales of alcoholic beverages within 1,000 feet of schools or religious institutions.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

AN ACT concerning location of alcoholic beverage sales and amending R.S.33:1-76.

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

1. R.S.33:1-76 is amended to read as follows:

33:1-76. Anything to the contrary hereinbefore notwithstanding, and for the benefit not of property but of persons attendant therein, no license shall be issued for the sale of alcoholic beverages within **[**two hundred**]** 1,000 feet of any church or religious institution or 1,000 feet of any public schoolhouse or private schoolhouse, licensed child care center, registered family day care home, and unified child care agency not conducted for pecuniary profit, except to manufacturers, wholesalers, hotels, clubs and fraternal organizations which owned or were actually in possession of the licensed premises that is located within 200 feet of any church or religious institution, public schoolhouse or private schoolhouse, licensed child care center, registered family day care home or unified child care agency on December **[**sixth, one thousand nine hundred and thirty-three**]** 6th, 1933 or within 1,000 feet but in excess of in excess of 200 feet of any church or religious institution, schoolhouse or private schoolhouse, licensed child care center, registered family day care home or unified child care agency before the effective date of P.L. , c. (C.) (pending before the Legislature as this bill). The protection of this section may be waived at the issuance of the license and at each renewal thereafter, by the duly authorized governing body on authority of such church or religious institution, or school, licensed child care center, registered family day care home or unified child care agency, such waiver to be effective until the date of the next renewal of the license. Said **[**two hundred**]** 200 or 1,000 feet shall be measured in the normal way that a pedestrian would properly walk from the nearest entrance of said church or religious institution, or school, licensed child care center, registered family day care home or unified child care agency, to the nearest entrance of the premises sought to be licensed.

The prohibition contained in this section shall not apply to the renewal of any license where no such church **[**or**]**, schoolhouse, licensed child care center, registered family day care home or unified child care agency was located within **[**two hundred**]** 1,000 feet of the licensed premises as aforesaid at the time of the issuance of the license, nor to the issuance or renewal, or both, of any license where such premises have been heretofore licensed for the sale of

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

alcoholic beverages or intoxicating liquors, and such church **[**or**]**, schoolhouse, licensed child care center, registered family day care home or unified child care agency was constructed or established, or both, during the time said premises were operated under said previous license.
(cf: R.S.33:1-76)

2. This act shall take effect immediately.

STATEMENT

This bill would increase the zone around a school or church, where sale of alcoholic beverages is prohibited from the current 200 feet to 1,000 feet. The bill would also apply the 1,000 feet restriction to religious institutions, licensed child care centers, registered family day care homes or unified child care agencies.

The bill would exempt sales by persons conducting sales within less than 200 feet from a school who obtained their licenses prior to December 6th, 1933 and persons conducting sales more than 200 feet but less than 1,000 feet from a church or religious institution, school, licensed child care center, registered family day care home or unified child care agency who obtain their licenses prior to the enactment of this bill into law.