

[First Reprint]

**ASSEMBLY, No. 1293**

**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Burlington and Camden)**

**Assemblyman JOHN J. BURZICHELLI**

**District 3 (Cumberland, Gloucester and Salem)**

**Assemblyman RAJ MUKHERJI**

**District 33 (Hudson)**

**Co-Sponsored by:**

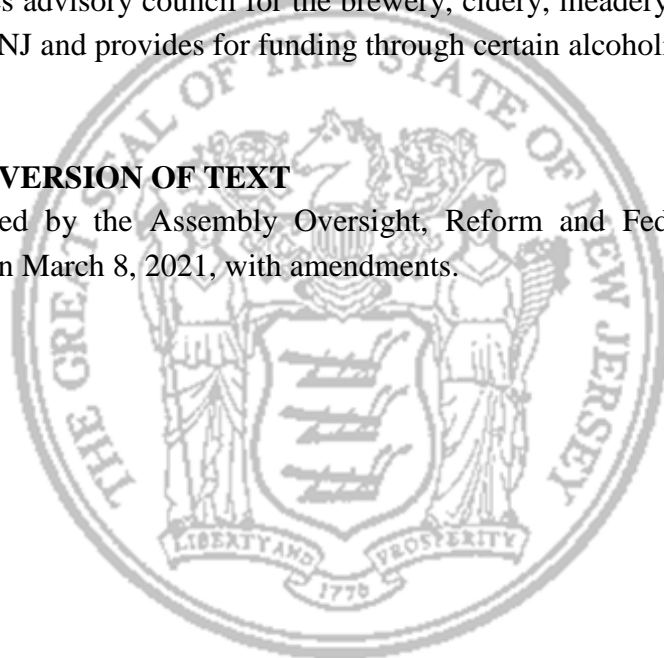
**Assemblyman Calabrese, Assemblywomen DiMaso, N.Munoz, Lampitt,  
Assemblymen Freiman, Wirths, Assemblywomen Vainieri Huttie, Murphy  
and Assemblyman Houghtaling**

**SYNOPSIS**

Establishes advisory council for the brewery, cidery, meadery, and distillery industries in NJ and provides for funding through certain alcoholic beverage tax receipts.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Oversight, Reform and Federal Relations Committee on March 8, 2021, with amendments.



**(Sponsorship Updated As Of: 5/20/2021)**

1 AN ACT concerning the promotion of the brewery, cidery, meadery,  
2 and distillery industries in the State and supplementing Title 33  
3 of the Revised Statutes.

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

7  
8 1. As used in P.L. , c. (C. ) (pending before the  
9 Legislature as this bill):

10 “Account” means the New Jersey Brewery, Cidery, Meadery,  
11 and Distillery Industry Promotion Account established pursuant to  
12 section 2 of P.L. , c. (C. ) (pending before the Legislature as  
13 this bill).

14 “Advisory council” means the New Jersey Brewery, Cidery,  
15 Meadery, and Distillery Industry Advisory Council established  
16 pursuant to section 3 of P.L. , c. (C. ) (pending before the  
17 Legislature as this bill).

18 “Beer” means beer, lager beer, ale, stout, porter, and all similar  
19 fermented malt beverages having an alcoholic content of one-half of  
20 one percent (1/2 of 1%) or more by volume.

21 “Chief executive officer” means the Chief Executive Officer of  
22 the New Jersey Economic Development Authority.

23 “Department” means the Department of State.

24 “Division” means the Division of Travel and Tourism in the  
25 Department of State.

26 “Executive director” means Executive Director of the Division of  
27 Travel and Tourism in the Department of State.

28 “Cider” means a beverage made from the alcoholic fermentation of  
29 the juice of apples, including but not limited to flavored, sparkling  
30 or carbonated cider.

31 “Liquors” means all distilled or rectified spirits, alcohol, brandy,  
32 whisky, rum, gin and all similar distilled alcoholic beverages,  
33 including all dilutions and mixtures of one or more of the foregoing,  
34 such as liqueurs, cordials, and similar compounds, having an  
35 alcoholic content of one-half of one percent (1/2 of 1%) or more by  
36 volume.

37 “Mead” means an alcoholic beverage primarily made from  
38 honey, water, and yeast, and which may contain fruit, fruit juices,  
39 spices, or herbs added before or after fermentation has completed,  
40 except that the ratio of fermentable sugars from fruit or fruit juices  
41 shall not exceed 49 percent of the total fermentable sugars used to  
42 produce mead.

43 “Qualifying licensee” means a person or entity that holds a  
44 limited brewery license, a restricted brewery license, a cidery and  
45 meadery license, or a craft distillery license issued pursuant to  
46 R.S.33:1-10.

**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly AOF committee amendments adopted March 8, 2021.

1           2. a. There is established in the Division of Travel and Tourism  
2 in the Department of State the "New Jersey Brewery, Cidery,  
3 Meadery, and Distillery Industry Promotion Account." All monies  
4 received in this account shall be expended by the executive director for  
5 research and development concerning the 'limited brewery, restricted'  
6 brewery, cidery, meadery, and 'craft' distillery industries in the State  
7 and for the promotion of New Jersey's 'limited brewery, restricted'  
8 brewery, cidery, meadery, and 'craft' distillery industries, consistent  
9 with the recommendations of the advisory council created pursuant to  
10 section 3 of P.L. , c. (C. ) (pending before the Legislature as this  
11 bill).

12           b. The account shall be credited annually, in an appropriation by  
13 law, with an amount equal to 50 percent of the receipts from the per  
14 gallon tax, as provided for pursuant to R.S.54:43-1, imposed on all  
15 sales of beer, cider, mead, and liquors sold by a qualifying licensee  
16 during the preceding taxable year.

17           c. The account shall also be credited with any monies made  
18 available to it from the General Fund or any non-State public or  
19 private source.

20           d. The Secretary of State shall include with the annual budget  
21 request for the department a request for funds sufficient to carry out  
22 the purposes and intent of P.L. , c. (C. ) (pending before the  
23 Legislature as this bill).

24  
25           3. a. There is established in the division the "New Jersey  
26 Brewery, Cidery, Meadery, and Distillery Industry Advisory Council,"  
27 comprising seven members, one of whom shall be the executive  
28 director and one of whom shall be the Chief Executive Officer of the  
29 New Jersey Economic Development Authority, or their respective  
30 designees, who shall serve ex officio and as nonvoting members, and  
31 five public members to be appointed by the Secretary of State,  
32 following consultation with the executive director and chief executive  
33 officer, two of whom shall be representatives of the 'limited brewery  
34 or restricted' brewery industry, one of whom shall be a representative  
35 of the cidery industry, one of whom shall be a representative of the  
36 meadery industry, and one of whom shall be a representative of the  
37 'craft' distillery industry. To the maximum extent practicable and  
38 feasible, the members appointed from the general public shall be  
39 chosen so as to collectively provide wide geographical representation.  
40 The members appointed from the general public shall serve for terms  
41 of three years and may be reappointed and may serve until a successor  
42 has been appointed. Of the public members first appointed, the  
43 representatives of the 'limited brewery or restricted' brewery industry  
44 shall be appointed for terms of three years, the representatives of the  
45 cidery and 'craft' distillery industries shall be appointed for terms of  
46 two years, and the representative of the meadery industry shall be  
47 appointed for a term of one year. A vacancy in the membership

1 occurring other than by expiration of a term shall be filled in the same  
2 manner as the original appointment for the remainder of the unexpired  
3 term. The members of the advisory council shall serve without  
4 compensation, but the advisory council may, within the limits of funds  
5 appropriated or otherwise made available to it, reimburse members for  
6 actual expenses necessarily incurred in the discharge of their official  
7 duties.

8 b. The advisory council shall organize as soon as its membership  
9 has been appointed and shall select a chairman and vice-chairman  
10 from among its members and may select a secretary, who need not be  
11 a member of the advisory council. The advisory council shall meet  
12 twice annually, and at other times as determined by the advisory  
13 council.

14 c. It shall be the duty of the advisory council to assess the  
15 condition of the 'limited brewery, restricted'<sup>1</sup> brewery, cidery,  
16 meadery, and 'craft'<sup>1</sup> distillery industries of the State and to advise the  
17 executive director on expenditures from the account for research,  
18 development, and promotion of the New Jersey 'limited brewery,  
19 restricted'<sup>1</sup> brewery, cidery, meadery, and 'craft'<sup>1</sup> distillery industries.

20 d. The advisory council is entitled to call to its assistance and  
21 avail itself of the services of such employees of any State, county or  
22 municipal department, board, bureau, commission, or agency as it may  
23 require and as may be available to it for these purposes.

24 e. The advisory council shall promulgate rules and regulations  
25 subject to the approval of the Secretary of State to effectuate the  
26 purposes of P.L. , c. (C. ) (pending before the Legislature as this  
27 bill). The advisory council may employ, prescribe the duties, and fix  
28 and pay the compensation of such persons it may deem necessary to  
29 carry out the duties of the advisory council within the limits of  
30 available appropriations and subject to the approval of the Secretary of  
31 State.

32

33 4. The Director of the Division of Taxation shall certify by  
34 March 1 annually to the advisory council the taxable volume of  
35 beer, cider, mead, and liquors sold by qualifying licensees during  
36 the preceding taxable year.

37

38 5. This act shall take effect immediately.