ASSEMBLY, No. 4300

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JUNE 22, 2020

Sponsored by:
Assemblywoman ELIANA PINTOR MARIN
District 29 (Essex)

SYNOPSIS

Allows municipal governing board or body to establish guidelines for the outdoor sale and consumption of alcoholic beverages in response to COVID-19 pandemic.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning the outdoor sale of alcoholic beverages.

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

1. a. As used in this section:

"Craft manufacturer license" means a plenary winery license, farm winery license, out-of-State winery license, limited brewery license, restricted brewery license, cidery and meadery license, and craft distillery license issued pursuant to R.S.33:1-10.

"Retail consumption license or permit" means a plenary retail consumption license, plenary retail consumption license used in connection with a hotel or motel, or seasonal retail consumption license issued pursuant to R.S.33:1-12, or concessionaire permit issued pursuant to Title 33 of the Revised Statutes that authorizes the sale of all alcoholic beverages for consumption on the licensed premises.

b. The holder of a retail consumption license or permit or craft manufacturer license shall be entitled to serve alcoholic beverages for consumption outdoors pursuant to a municipal ordinance promulgated in accordance with subsection c. of this section.

c. The governing board or body of a municipality as defined by subsection g. of R.S.33:1-1 may, by ordinance, extend the licensed premises used in connection with a retail consumption license or permit or craft manufacturer license to allow for the sale and consumption of alcoholic beverages in outdoor places in a manner that adheres to current social distancing practices. The ordinance shall establish outdoor customer seating requirements which shall be followed by retail consumption license or permit holders in response to the COVID-19 pandemic.

2. This act shall expire on: (1) the date of expiration, termination, or rescission of any and all executive or administrative orders issued by the Governor or Commissioner of Health establishing coronavirus-related occupancy or customer seating restrictions applicable to licensed premises; or (2) the first day of the seventh month following the date on which the Governor declares that the state of emergency has ended, whichever date occurs later.

STATEMENT

This bill allows a municipal governing body or local alcoholic beverage licensing board, by ordinance, to extend the licensed premises used in connection with certain alcoholic beverage retail consumption licensees and craft manufacturer's licenses to allow for the sale and outdoor consumption of alcoholic beverages in

outdoor places in a manner that adheres to current social distancing practices. The bill requires the ordinance to establish outdoor customer seating requirements which are to be followed by retail consumption license or permit holders in response to the COVID-19 pandemic. This temporary provision has an effective date that expires on the date on which the coronavirus-related indoor occupancy or customer seating restrictions no longer apply to these licensed premises, whichever date occurs later.

The bill defines "retail consumption license or permit" as a plenary retail consumption license, plenary retail consumption license used in connection with a hotel or motel, or seasonal retail consumption license, or concessionaire permit. "Craft manufacturer license" is defined as a plenary winery license, farm winery license, out-of-State winery license, limited brewery license, restricted brewery license, cidery and meadery license, and craft distillery license issued pursuant to R.S.33:1-10.