

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 4525**

with committee amendments

# STATE OF NEW JERSEY

DATED: SEPTEMBER 17, 2020

The Assembly Appropriations Committee reports favorably Assembly Bill No. 4525, with committee amendments.

As amended by the committee, this bill addresses different types of economic activity in the State, with the intent to improving the economic outlook, and opportunities, for businesses and agricultural concerns in the State.

The bill would allow open or enclosed canopies or tents lawfully erected on commercial farms to remain in place during the COVID-19 emergency until indoor dining resumes in the State without capacity restrictions or December 31, 2020, whichever is later, and would also allow a temporary structure or temporary space that a business or commercial entity has erected and is using for their business activity until the resumption, pursuant to an Executive Order issued by the Governor, of indoor occupancy or dining without capacity limitations. By extending the use of these canopies, tents, temporary structures and temporary spaces, businesses and commercial farms will be able to continue to be open for business and to serve the public well into the fall and winter months.

The bill would also extend the duration of COVID-19 Expansion Permits issued by the Director of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety pursuant to Special Ruling 2020-10. Pursuant to that Special Ruling, those permits will expire on November 30, 2020. This bill would extend the duration of those permits until the date of expiration, termination, or rescission of any executive or administrative order issued by the Governor establishing coronavirus-related occupancy or customer seating restrictions applicable to licensed premises. Extending these permits will allow bars and restaurants to continue to serve the public in spaces outside of their premises well into the fall and winter months.

The bill would also allow the Director of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety to issue to the holder of a limited brewery license, restricted brewery license, craft distillery license, plenary winery license, farm winery license, or cidery and meadery license, a daily or annual permit to sell any of the licensee's products at a seasonal

farm market for consumption off the premises of the seasonal farm market. The bill would require the director to issue a separate permit for each seasonal farm market at which the licensee's products are intended to be sold. Creating these permits will provide these businesses with additional opportunities to sell their products and increased revenue from those sales.

#### COMMITTEE AMENDMENTS:

The committee amended the bill to:

- permit a temporary structure or temporary space to remain in place until the resumption, pursuant to an Executive Order issued by the Governor, of indoor occupancy or dining without capacity limitations;
- permit the governing body of a municipality, once every 90 days, to review the location of each temporary structure or temporary space erected in the municipality, and to order the removal of a temporary structure or temporary space if it is deemed to be a nuisance, interferes with a planned use of the location by the municipality, or if a construction project planned for the area in which the temporary structure or temporary space is located has received approval to begin construction; and to require that a governing body provide notice of such an action to the business or commercial entity and assist it in relocating the temporary structure or temporary space;
- extend the duration of COVID-19 Expansion Permits issued by the Director of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety pursuant to Special Ruling 2020-10 until the date of expiration, termination, or rescission of any executive or administrative order issued by the Governor establishing coronavirus-related occupancy or customer seating restrictions applicable to licensed premises; and
- allow the Director of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety to issue to the holder of a limited brewery license, restricted brewery license, craft distillery license, plenary winery license, farm winery license, or cidery and meadery license a daily or annual permit to sell any of the licensee's products at a seasonal farm market for consumption off the premises of the seasonal farm market.

#### FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

The Office of Legislative Services (OLS) estimates that this bill would result in an indeterminate increase in State revenues.