

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5848

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 16, 2021

The Assembly Appropriations Committee reports favorably Assembly Bill No. 5848, with committee amendments.

As amended and reported by the committee, Assembly Bill No. 5848 makes permanent provisions of P.L.2020, c.33, which temporarily granted retail licensees and craft distillery licensees certain privileges in response to the COVID-19 pandemic. Specifically, the amended bill allows the holder of plenary retail consumption licenses, hotel or motel licenses, seasonal retail consumption licenses, or concessionaire permits, generally issued to bars and restaurants, to sell and deliver alcoholic beverages in original containers or in closed and sealed containers, and mixed cocktails in closed and sealed containers for consumption off the licensed premises.

In addition, the amended bill allows craft distillery licensees to sell for consumption on or off the licensed premises distilled alcoholic beverages that are manufactured on the licensed premises and mixed or blended with other alcoholic or nonalcoholic beverages and sold in closed and sealed containers. The amended bill also allows craft distilleries to sell distilled alcoholic beverages in original containers accompanied by one or more nonalcoholic beverages or foodstuffs that may be combined by the consumer to prepare a mixed drink.

Under the amended bill, mixed drinks are to be sold in closed and sealed containers that are affixed with a tamper evident seal and hold not more than 16 fluid ounces. Any other alcoholic beverages may be sold and delivered in original containers of any size.

In addition, the amended bill allows certain craft alcoholic beverage manufacturers to deliver their products in original containers directly to the residence of a consumer within this State who is 21 years of age or older. The amended bill extends this home delivery privilege to the holder of a limited brewery license, plenary winery license that annually produces 250,000 gallons of wine or less, farm winery license, craft distillery license, and cidery and meadery license. The amended bill requires these licensees to transport alcoholic beverages in a vehicle that displays a transit insignia issued by the Director of the Division of Alcoholic Beverage Control and is owned, operated, or otherwise used in connection with the licensed premises.

COMMITTEE AMENDMENTS

The committee amendments:

1) remove from the bill provisions allowing alcoholic beverage manufacturers to deliver their products to out-of-State consumers;

2) remove from the bill provisions establishing out-of-State craft alcoholic beverage manufacturer licenses that allow out-of-State licensees to ship their products via common carrier directly to New Jersey residents.

3) remove from the bill provisions allowing certain New Jersey alcoholic beverage manufacturers to ship their products directly via common carrier;

4) allow distilleries in this State to sell mixed drinks for consumption on and off the licensed premises; as introduced, the bill allowed for the sale of mixed drinks for consumption off the licensed premises; and

5) amend the bill's effective date.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.