

SENATE, No. 2373

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED APRIL 13, 2020

Sponsored by:

Senator DECLAN J. O'SCANLON, JR.

District 13 (Monmouth)

SYNOPSIS

Allows certain alcoholic beverage manufacturers to ship and deliver products directly to consumers during state of emergency.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning the sale of alcoholic beverages, supplementing
2 Title 33 of the Revised Statutes, and amending R.S.33:1-10.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. (New section) a. The holder of a limited brewery license,
8 restricted brewery license, plenary winery license, farm winery
9 license, out-of-State winery license, cidery and meadery license, or
10 craft distillery license issued pursuant to R.S.33:1-10 shall be
11 entitled to directly ship or deliver to the residence of a consumer the
12 licensee's products in original packages during a state of emergency
13 declared by the Governor.

14 b. The director shall establish guidelines regarding the direct
15 shipment and delivery of alcoholic beverages during a declared
16 state of emergency pursuant to this section.

17
18 2. R.S.33:1-10 is amended to read as follows:

19 33:1-10. Class A licenses shall be subdivided and classified as
20 follows:

21 Plenary brewery license. 1a. The holder of this license shall
22 be entitled, subject to rules and regulations, to brew any malt
23 alcoholic beverages and to sell and distribute his products to
24 wholesalers and retailers licensed in accordance with this chapter,
25 and to sell and distribute without this State to any persons pursuant
26 to the laws of the places of such sale and distribution, and to
27 maintain a warehouse; provided, however, that the delivery of this
28 product by the holder of this license to retailers licensed under this
29 title shall be from inventory in a warehouse located in this State
30 which is operated under a plenary brewery license. The fee for this
31 license shall be \$10,625.

32 Limited brewery license. 1b. The holder of this license shall
33 be entitled, subject to rules and regulations, to brew any malt
34 alcoholic beverages in a quantity to be expressed in said license,
35 dependent upon the following fees and not in excess of 300,000
36 barrels of 31 fluid gallons capacity per year and to sell and
37 distribute this product to wholesalers and retailers licensed in
38 accordance with this chapter, and to sell and distribute without this
39 State to any persons pursuant to the laws of the places of such sale
40 and distribution, and to maintain a warehouse; provided, however,
41 that the delivery of this product by the holder of this license to
42 retailers licensed under this title shall be from inventory in a
43 warehouse located in this State which is operated under a limited
44 brewery license. The holder of this license shall be entitled to sell
45 this product at retail to consumers on the licensed premises of the

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.

1 brewery for consumption on the premises, but only in connection
2 with a tour of the brewery, or for consumption off the premises in a
3 quantity of not more than 15.5 fluid gallons per person, and to offer
4 samples for sampling purposes only pursuant to an annual permit
5 issued by the director. The holder of this license shall not sell food
6 or operate a restaurant on the licensed premises. The fee for this
7 license shall be graduated as follows:

8 to so brew not more than 50,000 barrels of 31 liquid gallons
9 capacity per annum, \$1,250;

10 to so brew not more than 100,000 barrels of 31 fluid gallons
11 capacity per annum, \$2,500;

12 to so brew not more than 200,000 barrels of 31 fluid gallons
13 capacity per annum, \$5,000;

14 to so brew not more than 300,000 barrels of 31 fluid gallons
15 capacity per annum, \$7,500.

16 For the purposes of this subsection, "sampling" means the selling
17 at a nominal charge or the gratuitous offering of an open container
18 not exceeding four ounces of any malt alcoholic beverage. For the
19 purposes of this subsection, "product" means any malt alcoholic
20 beverage that is produced on the premises licensed under this
21 subsection.

22 Restricted brewery license. 1c. The holder of this license shall
23 be entitled, subject to rules and regulations, to brew any malt
24 alcoholic beverages in a quantity to be expressed in such license not
25 in excess of 10,000 barrels of 31 gallons capacity per year.
26 Notwithstanding the provisions of R.S.33:1-26, the director shall
27 issue a restricted brewery license only to a person or an entity
28 which has identical ownership to an entity which holds a plenary
29 retail consumption license issued pursuant to R.S.33:1-12, provided
30 that such plenary retail consumption license is operated in
31 conjunction with a restaurant regularly and principally used for the
32 purpose of providing meals to its customers and having adequate
33 kitchen and dining room facilities, and that the licensed restaurant
34 premises is immediately adjoining the premises licensed under this
35 subsection. The holder of this license shall be entitled to sell or
36 deliver the product to that restaurant premises. The holder of this
37 license also shall be entitled to sell and distribute the product to
38 wholesalers licensed in accordance with this chapter. The fee for
39 this license shall be \$1,250, which fee shall entitle the holder to
40 brew up to 1,000 barrels of 31 liquid gallons per annum. The
41 licensee also shall pay an additional \$250 for every additional 1,000
42 barrels of 31 fluid gallons produced. The fee shall be paid at the
43 time of application for the license, and additional payments based
44 on barrels produced shall be paid within 60 days following the
45 expiration of the license term upon certification by the licensee of
46 the actual gallons brewed during the license term. No more than 10
47 restricted brewery licenses shall be issued to a person or entity
48 which holds an interest in a plenary retail consumption license. If

1 the governing body of the municipality in which the licensed
2 premises will be located should file a written objection, the director
3 shall hold a hearing and may issue the license only if the director
4 finds that the issuance of the license will not be contrary to the
5 public interest. All fees related to the issuance of both licenses shall
6 be paid in accordance with statutory law. The provisions of this
7 subsection shall not be construed to limit or restrict the rights and
8 privileges granted by the plenary retail consumption license held by
9 the holder of the restricted brewery license issued pursuant to this
10 subsection.

11 The holder of this license shall be entitled to offer samples of its
12 product for promotional purposes at charitable or civic events off
13 the licensed premises pursuant to an annual permit issued by the
14 director.

15 For the purposes of this subsection, "sampling" means the selling
16 at a nominal charge or the gratuitous offering of an open container
17 not exceeding four ounces of any malt alcoholic beverage product.
18 For the purposes of this subsection, "product" means any malt
19 alcoholic beverage that is produced on the premises licensed under
20 this subsection.

21 Plenary winery license. 2a. Provided that the holder is
22 engaged in growing and cultivating grapes or fruit used in the
23 production of wine on at least three acres on, or adjacent to, the
24 winery premises, the holder of this license shall be entitled, subject
25 to rules and regulations, to produce any fermented wines, and to
26 blend, fortify and treat wines, and to sell and distribute his products
27 to wholesalers licensed in accordance with this chapter and to
28 churches for religious purposes, and to sell and distribute without
29 this State to any persons pursuant to the laws of the places of such
30 sale and distribution, and to maintain a warehouse, and to sell his
31 products at retail to consumers on the licensed premises of the
32 winery for consumption on or off the premises and to offer samples
33 for sampling purposes only. The fee for this license shall be \$938.
34 A holder of this license who produces not more than 250,000
35 gallons per year shall also have the right to sell and distribute his
36 products to retailers licensed in accordance with this chapter, except
37 that the holder of this license shall not use a common carrier for
38 such distribution. The fee for this additional privilege shall be
39 graduated as follows: a licensee who manufactures more than
40 150,000 gallons, but not in excess of 250,000 gallons per annum,
41 \$1,000; a licensee who manufactures more than 100,000 gallons,
42 but not in excess of 150,000 gallons per annum, \$500; a licensee
43 who manufactures more than 50,000 gallons, but not in excess of
44 100,000 gallons per annum, \$250; a licensee who manufactures
45 50,000 gallons or less per annum, \$100. A holder of this license
46 who produces not more than 250,000 gallons per year shall have the
47 right to sell such wine at retail in original packages in 15
48 salesrooms apart from the winery premises for consumption on or

1 off the premises and for sampling purposes for consumption on the
2 premises, at a fee of \$250 for each salesroom. Licensees shall not
3 jointly control and operate salesrooms. Additionally, the holder of
4 this license who produces not more than 250,000 gallons per year
5 may ship not more than 12 cases of wine per year, subject to
6 regulation, to any person within or without this State over 21 years
7 of age for personal consumption and not for resale. A case of wine
8 shall not exceed a maximum of nine liters. A copy of the original
9 invoice shall be available for inspection by persons authorized to
10 enforce the alcoholic beverage laws of this State for a minimum
11 period of three years at the licensed premises of the winery. For the
12 purposes of this subsection, "sampling" means the selling at a
13 nominal charge or the gratuitous offering of an open container not
14 exceeding one and one-half ounces of any wine.

15 A holder of this license who produces not more than 250,000
16 gallons per year shall not own, either in whole or in part, or hold,
17 either directly or indirectly, any interest in a winery that produces
18 more than 250,000 gallons per year. In addition, a holder of this
19 license who produces more than 250,000 gallons per year shall not
20 own, either in whole or in part, or hold, either directly or indirectly,
21 any interest in a winery that produces not more than 250,000
22 gallons per year. For the purposes of this subsection, "product"
23 means any wine that is produced, blended, fortified, or treated by
24 the licensee on its licensed premises situated in the State of New
25 Jersey. For the purposes of this subsection, "wine" shall include
26 "hard cider" and "mead" as defined in this section.

27 Farm winery license. 2b. The holder of this license shall
28 be entitled, subject to rules and regulations, to manufacture any
29 fermented wines and fruit juices in a quantity to be expressed in
30 said license, dependent upon the following fees and not in excess of
31 50,000 gallons per year and to sell and distribute his products to
32 wholesalers and retailers licensed in accordance with this chapter
33 and to churches for religious purposes and to sell and distribute
34 without this State to any persons pursuant to the laws of the places
35 of such sale and distribution, and to maintain a warehouse and to
36 sell at retail to consumers for consumption on or off the licensed
37 premises and to offer samples for sampling purposes only. The
38 license shall be issued only when the winery at which such
39 fermented wines and fruit juices are manufactured is located and
40 constructed upon a tract of land exclusively under the control of the
41 licensee, provided that the licensee is actively engaged in growing
42 and cultivating an area of not less than three acres on or adjacent to
43 the winery premises and on which are growing grape vines or fruit
44 to be processed into wine or fruit juice; and provided, further, that
45 for the first five years of the operation of the winery such fermented
46 wines and fruit juices shall be manufactured from at least 51
47 percent grapes or fruit grown in the State and that thereafter they
48 shall be manufactured from grapes or fruit grown in this State at

1 least to the extent required for labeling as "New Jersey Wine" under
2 the applicable federal laws and regulations. The containers of all
3 wine sold to consumers by such licensee shall have affixed a label
4 stating such information as shall be required by the rules and
5 regulations of the Director of the Division of Alcoholic Beverage
6 Control. The fee for this license shall be graduated as follows: to so
7 manufacture between 30,000 and 50,000 gallons per annum, \$375;
8 to so manufacture between 2,500 and 30,000 gallons per annum,
9 \$250; to so manufacture between 1,000 and 2,500 gallons per
10 annum, \$125; to so manufacture less than 1,000 gallons per annum,
11 \$63. No farm winery license shall be held by the holder of a plenary
12 winery license or be situated on a premises licensed as a plenary
13 winery.

14 The holder of this license shall also have the right to sell and
15 distribute his products to retailers licensed in accordance with this
16 chapter, except that the holder of this license shall not use a
17 common carrier for such distribution. The fee for this additional
18 privilege shall be \$100. The holder of this license shall have the
19 right to sell his products in original packages at retail to consumers
20 in 15 salesrooms apart from the winery premises for consumption
21 on or off the premises, and for sampling purposes for consumption
22 on the premises, at a fee of \$250 for each salesroom. Licensees
23 shall not jointly control and operate salesrooms. Additionally, the
24 holder of this license may ship not more than 12 cases of wine per
25 year, subject to regulation, to any person within or without this
26 State over 21 years of age for personal consumption and not for
27 resale. A case of wine shall not exceed a maximum of nine liters. A
28 copy of the original invoice shall be available for inspection by
29 persons authorized to enforce the alcoholic beverage laws of this
30 State for a minimum period of three years at the licensed premises
31 of the winery. For the purposes of this subsection, "sampling"
32 means the selling at a nominal charge or the gratuitous offering of
33 an open container not exceeding one and one-half ounces of any
34 wine.

35 A holder of this license who produces not more than 250,000
36 gallons per year shall not own, either in whole or in part, or hold,
37 either directly or indirectly, any interest in a winery that produces
38 more than 250,000 gallons per year.

39 Unless otherwise indicated, for the purposes of this subsection,
40 with respect to farm winery licenses, "manufacture" means the
41 vinification, aging, storage, blending, clarification, stabilization and
42 bottling of wine or juice from New Jersey fruit to the extent
43 required by this subsection.

44 For the purposes of this subsection, "wine" shall include "hard
45 cider" and "mead" as defined in this section.

46 Wine blending license. 2c. The holder of this license shall
47 be entitled, subject to rules and regulations, to blend, treat, mix, and
48 bottle fermented wines and fruit juices with non-alcoholic

1 beverages, and to sell and distribute his products to wholesalers and
2 retailers licensed in accordance with this chapter, and to sell and
3 distribute without this State to any persons pursuant to the laws of
4 the places of such sale and distribution, and to maintain a
5 warehouse. The fee for this license shall be \$625.

6 For the purposes of this subsection, "wine" shall include "hard
7 cider" and "mead" as defined in this section.

8 Instructional winemaking facility license. 2d. The
9 holder of this license shall be entitled, subject to rules and
10 regulations, to instruct persons in and provide them with the
11 opportunity to participate directly in the process of winemaking and
12 to directly assist such persons in the process of winemaking while
13 in the process of instruction on the premises of the facility. The
14 holder of this license also shall be entitled to manufacture wine on
15 the premises not in excess of an amount of 10 percent of the wine
16 produced annually on the premises of the facility, which shall be
17 used only to replace quantities lost or discarded during the
18 winemaking process, to maintain a warehouse, and to offer samples
19 produced by persons who have received instruction in winemaking
20 on the premises by the licensee for sampling purposes only on the
21 licensed premises for the purpose of promoting winemaking for
22 personal or household use or consumption. Wine produced on the
23 premises of an instructional winemaking facility shall be used,
24 consumed or disposed of on the facility's premises or distributed
25 from the facility's premises to a person who has participated
26 directly in the process of winemaking for the person's personal or
27 household use or consumption. The holder of this license may sell
28 mercantile items traditionally associated with winemaking and
29 novelty wearing apparel identified with the name of the
30 establishment licensed under the provisions of this section. The
31 holder of this license may use the licensed premises for an event or
32 affair, including an event or affair at which a plenary retail
33 consumption licensee serves alcoholic beverages in compliance
34 with all applicable statutes and regulations promulgated by the
35 director. The fee for this license shall be \$1,000. For the purposes
36 of this subsection, "sampling" means the gratuitous offering of an
37 open container not exceeding one and one-half ounces of any wine.

38 For the purposes of this subsection, "wine" shall include "hard
39 cider" and "mead" as defined in this section.

40 Out-of-State winery license. 2e. Provided that the
41 applicant does not produce more than 250,000 gallons of wine per
42 year, the holder of a valid winery license issued in any other state
43 may make application to the director for this license. The holder of
44 this license shall have the right to sell and distribute his products to
45 wholesalers licensed in accordance with this chapter and to sell
46 such wine at retail in original packages in 16 salesrooms apart from
47 the winery premises for consumption on or off the premises at a fee
48 of \$250 for each salesroom. Licensees shall not jointly control and

1 operate salesrooms. The annual fee for this license shall be \$938.
2 A copy of a current license issued by another state shall accompany
3 the application. The holder of this license also shall have the right
4 to sell and distribute his products to retailers licensed in accordance
5 with this chapter, except that the holder of this license shall not use
6 a common carrier for such distribution. The fee for this additional
7 privilege shall be graduated as follows: a licensee who
8 manufactures more than 150,000 gallons, but not in excess of
9 250,000 gallons per annum, \$1,000; a licensee who manufactures
10 more than 100,000 gallons, but not in excess of 150,000 gallons per
11 annum, \$500; a licensee who manufactures more than 50,000
12 gallons, but not in excess of 100,000 gallons per annum, \$250; a
13 licensee who manufactures 50,000 gallons or less per annum, \$100.
14 Additionally, the holder of this license may ship not more than 12
15 cases of wine per year, subject to regulation, to any person within or
16 without this State over 21 years of age for personal consumption
17 and not for resale. A case of wine shall not exceed a maximum of
18 nine liters. A copy of the original invoice shall be available for
19 inspection by persons authorized to enforce the alcoholic beverage
20 laws of this State for a minimum period of three years at the
21 licensed premises of the winery.

22 The licensee shall collect from the customer the tax due on the
23 sale pursuant to the "Sales and Use Tax Act," P.L.1966, c.30
24 (C.54:32B-1 et seq.) and shall pay the tax due on the delivery of
25 alcoholic beverages pursuant to the "Alcoholic beverage tax law,"
26 R.S.54:41-1 et seq. The Director of the Division of Taxation in the
27 Department of the Treasury shall promulgate such rules and
28 regulations necessary to effectuate the provisions of this paragraph,
29 and may provide by regulation for the co-administration of the tax
30 due on the delivery of alcoholic beverages pursuant to the
31 "Alcoholic beverage tax law," R.S.54:41-1 et seq. with the
32 administration of the tax due on the sale pursuant to the "Sales and
33 Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.).

34 A holder of this license who produces not more than 250,000
35 gallons per year shall not own, either in whole or in part, or hold,
36 either directly or indirectly, any interest in a winery that produces
37 more than 250,000 gallons per year.

38 For the purposes of this subsection, "wine" shall include "hard
39 cider" and "mead" as defined in this section.

40 Cidery and meadery license. 2f. The holder of this
41 license shall be entitled, subject to rules and regulations, to
42 manufacture hard cider and mead and to sell and distribute these
43 products to wholesalers and retailers licensed in accordance with
44 this chapter, and to sell and distribute without this State to any
45 persons pursuant to the laws of the places of such sale and
46 distribution, and to maintain a warehouse. The holder of this
47 license shall be entitled to sell these products at retail to consumers
48 on the licensed premises for consumption on or off the premises and

1 to offer samples for sampling purposes only. The holder of this
2 license shall be permitted to offer for sale or make the gratuitous
3 offering of packaged crackers, chips, nuts, and similar snacks to
4 consumers, but shall not operate a restaurant on the licensed
5 premises. The fee for this license shall be \$938.

6 The holder of this license shall be entitled to manufacture hard
7 cider in a quantity not to exceed 50,000 barrels of 31 fluid gallons
8 capacity per year. With respect to the sale and distribution of hard
9 cider to a wholesaler, the licensee shall be subject to the same
10 statutory and regulatory requirements as a brewer, and hard cider
11 shall be considered a malt alcoholic beverage, for the purposes of
12 the "Malt Alcoholic Beverage Practices Act," P.L.2005, c.243
13 (C.33:1-93.12 et seq.). **【The】** Except as otherwise provided by
14 section 1 of P.L. , c. (C.) (pending before the Legislature as
15 this bill), the holder of this license shall not directly ship hard cider
16 either within or without this State.

17 The holder of this license shall be entitled to manufacture not
18 more than 250,000 gallons of mead per year. The holder of this
19 license may ship not more than 12 cases of mead per year, subject
20 to regulation, to any person within or without this State over 21
21 years of age for personal consumption and not for resale. A case of
22 mead shall not exceed a maximum of nine liters. A copy of the
23 original invoice shall be available for inspection by persons
24 authorized to enforce the alcoholic beverage laws of this State for a
25 minimum period of three years at the licensed premises. As used in
26 this subsection:

27 "Hard cider" means a fermented alcoholic beverage derived
28 primarily from apples, pears, apple juice concentrate and water, or
29 pear juice concentrate and water, which may include spices, herbs,
30 honey, or other flavoring, and which contains at least one half of
31 one percent but less than eight and one half percent alcohol by
32 volume.

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

39 "Sampling" means the selling at a nominal charge or the
40 gratuitous offering of an open container not exceeding four ounces
41 of hard cider or mead produced on the licensed premises.

42 Plenary distillery license. 3a. The holder of this license shall
43 be entitled, subject to rules and regulations, to manufacture any
44 distilled alcoholic beverages and rectify, blend, treat and mix, and
45 to sell and distribute his products to wholesalers and retailers
46 licensed in accordance with this chapter, and to sell and distribute
47 without this State to any persons pursuant to the laws of the places

1 of such sale and distribution, and to maintain a warehouse. The fee
2 for this license shall be \$12,500.

3 Limited distillery license. 3b. The holder of this license shall
4 be entitled, subject to rules and regulations, to manufacture and
5 bottle any alcoholic beverages distilled from fruit juices and rectify,
6 blend, treat, mix, compound with wine and add necessary
7 sweetening and flavor to make cordial or liqueur, and to sell and
8 distribute to wholesalers and retailers licensed in accordance with
9 this chapter, and to sell and distribute without this State to any
10 persons pursuant to the laws of the places of such sale and
11 distribution and to warehouse these products. The fee for this
12 license shall be \$3,750.

13 Supplementary limited distillery license. 3c. The holder of this
14 license shall be entitled, subject to rules and regulations, to bottle
15 and rebottle, in a quantity to be expressed in said license, dependent
16 upon the following fees, alcoholic beverages distilled from fruit
17 juices by such holder pursuant to a prior plenary or limited distillery
18 license, and to sell and distribute his products to wholesalers and
19 retailers licensed in accordance with this chapter, and to sell and
20 distribute without this State to any persons pursuant to the laws of
21 the places of such sale and distribution, and to maintain a
22 warehouse. The fee for this license shall be graduated as follows:
23 to so bottle and rebottle not more than 5,000 wine gallons per
24 annum, \$313; to so bottle and rebottle not more than 10,000 wine
25 gallons per annum, \$625; to so bottle and rebottle without limit as
26 to amount, \$1,250.

27 Craft distillery license. 3d. The holder of this license shall
28 be entitled, subject to rules and regulations, to manufacture not
29 more than 20,000 gallons of distilled alcoholic beverages, to rectify,
30 blend, treat and mix distilled alcoholic beverages, to sell and
31 distribute this product to wholesalers and retailers licensed in
32 accordance with this chapter, and to sell and distribute without this
33 State to any persons pursuant to the laws of the places of such sale
34 and distribution, and to maintain a warehouse. The holder of this
35 license shall be entitled to sell this product at retail to consumers on
36 the licensed premises of the distillery for consumption on the
37 premises, but only in connection with a tour of the distillery, and
38 for consumption off the premises in a quantity of not more than five
39 liters per person. In addition, the holder of this license may offer
40 any person not more than three samples per calendar day for
41 sampling purposes only. For the purposes of this subsection,
42 "sampling" means the gratuitous offering of an open container not
43 exceeding one-half ounce serving of distilled alcoholic beverage
44 produced on the distillery premises. **【Nothing】** Except as otherwise
45 provided in 【this subsection】 section 1 of P.L. _____, c. _____ (C. _____)
46 (pending before the Legislature as this bill), the holder of this
47 license shall 【be deemed to permit the direct shipment of】 not
48 directly ship distilled spirits either within or without this State.

1 The holder of this license shall not sell food or operate a
2 restaurant on the licensed premises. A holder of this license who
3 certifies that not less than 51 percent of the raw materials used in
4 the production of distilled alcoholic beverages under this section are
5 grown in this State or purchased from providers located in this State
6 may, consistent with all applicable federal laws and regulations,
7 label these distilled alcoholic beverages as "New Jersey Distilled."
8 The fee for this license shall be \$938.

9 Rectifier and blender license. 4. The holder of this
10 license shall be entitled, subject to rules and regulations, to rectify,
11 blend, treat and mix distilled alcoholic beverages, and to fortify,
12 blend, and treat fermented alcoholic beverages, and prepare
13 mixtures of alcoholic beverages, and to sell and distribute his
14 products to wholesalers and retailers licensed in accordance with
15 this chapter, and to sell and distribute without this State to any
16 persons pursuant to the laws of the places of such sale and
17 distribution, and to maintain a warehouse. The fee for this license
18 shall be \$7,500.

19 Bonded warehouse bottling license. 5. The holder of this
20 license shall be entitled, subject to rules and regulations, to bottle
21 alcoholic beverages in bond on behalf of all persons authorized by
22 federal and State law and regulations to withdraw alcoholic
23 beverages from bond. The fee for this license shall be \$625. This
24 license shall be issued only to persons holding permits to operate
25 Internal Revenue bonded warehouses pursuant to the laws of the
26 United States.

27 The provisions of section 21 of P.L.2003, c.117 amendatory of
28 this section shall apply to licenses issued or transferred on or after
29 July 1, 2003, and to license renewals commencing on or after July
30 1, 2003.

31 (cf: P.L.2017, c.80, s.1)

32
33 3. This act shall take effect immediately.
34
35

36 STATEMENT

37
38 This bill allows certain alcoholic beverage manufacturers to
39 directly ship and deliver alcoholic beverages to the residence of a
40 consumer during a state of emergency declared by the Governor.

41 Specifically, the bill allows the holder of a limited brewery
42 license, restricted brewery license, plenary winery license, farm
43 winery license, out-of-State winery license, cidery and meadery
44 license, or craft distillery license to directly ship or deliver to the
45 residence of a consumer the licensee's products in original packages
46 during the state of emergency. In addition, the bill requires the
47 director to establish guidelines regarding the shipment and delivery
48 of alcoholic beverages during a declared state of emergency.

1 Under current law, licensees with plenary retail privileges, such
2 as liquor stores, are permitted to deliver alcoholic beverages in
3 original containers to a consumer's residence. In addition, certain
4 wineries are permitted to directly ship wine. This bill extends this
5 privilege to certain alcoholic beverage manufacturers during a
6 declared state of emergency.