

COMMITTEE STATEMENT:

ASSEMBLY: No

SENATE: Yes State Gov., Wagering, Tourism
& Hist Preservation

Budget & Appropriations

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:

Yes 12/20/2021

LEGISLATIVE FISCAL ESTIMATE:

Yes 12/21/2021
1/10/2022

VETO MESSAGE:

No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

RWH/JA

Title 33.
Chapter 5. (New)
Promotion of
Alcoholic
Beverage Industry
§§1-5
C.33:5-1 to
33:5-5 and
Note to
C.34:1A-48 and
C.52:18A-24

P.L. 2021, CHAPTER 438, *approved January 18, 2022*
Assembly, No. 1293 (*Second Reprint*)

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 ²1. The Legislature finds and declares that:

9 a. It is of significant economic importance to the State of New
10 Jersey and its residents that the State supports the future
11 development, expansion, and continued success of New Jersey's
12 burgeoning craft alcohol beverage industry in a myriad of ways,
13 including direct financial support for industry-related research,
14 development, and promotion activities positively impacting the
15 operation and growth of New Jersey's limited brewery, restricted
16 brewery, cidery, meadery, and craft distillery industries.

17 b. According to recent national industry statistics, New
18 Jersey's craft beer industry is composed of hundreds of small and
19 medium sized businesses impacting the employment and livelihoods
20 of over 8,000 individuals and their families statewide, equating to
21 an over \$1.35 billion annual economic impact in the State. New
22 Jersey's growing craft beer industry of production breweries and
23 brewpubs has become a tourist draw for both in-State and out-of-
24 State visitors, positively impacting State revenue and the economic
25 vitality of host communities and other local business in proximity to
26 many New Jersey craft breweries.

27 c. The State's distilled spirits industry, which supports almost
28 56,000 jobs and generates nearly \$4.7 billion in annual State
29 economic activity, including to New Jersey's local communities and
30 the State in taxes, has experienced noteworthy growth and increased
31 financial investment in the State's local craft distillery sector in
32 recent years which has positively impacted the local communities

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:

¹Assembly AOF committee amendments adopted March 8, 2021.

²Senate floor amendments adopted December 20, 2021.

1 where these businesses are situated and the State’s tourism and
2 hospitality industry as whole.

3 d. Small producers of New Jersey-produced hard cider and
4 mead, which are contributing greater amounts of financial
5 investment and tax revenue to the State and their local communities
6 in recent years, are growing in consumer popularity nationwide,
7 which entail supports the State’s agricultural community and
8 vendors through the purchase of New Jersey-sourced products such
9 as apples, other produce, and local honey.

10 e. Travel and tourism is one of the largest employment sectors
11 and highest revenue-generating industries in the State of New
12 Jersey, a vibrant travel and tourism industry is vital to the overall
13 economic well-being of New Jersey’s citizens, and a robust craft
14 alcohol beverage industry is crucial to promoting travel and tourism
15 in this State.

16 f. As a result of the COVID-19 pandemic, there exists a
17 heightened sense of fear and hesitancy in people to travel and
18 experience tourism destinations, which has caused tremendous
19 disruption throughout the State’s travel and tourism industry,
20 including travel and tourism to the State’s craft alcohol beverage
21 industries.

22 g. According to the 2021 report released by the Division of
23 Travel and Tourism, the “Economic Impact of Tourism in New
24 Jersey 2020,” the number of people visiting the State dropped by 27
25 percent in 2020, from 116.2 million visitors in 2019 to 84.6 million
26 visitors in 2020. Visitor spending also decreased sharply by 37
27 percent in 2020, from \$46.4 billion in 2019 to \$29.4 billion in 2020.

28 h. The success of the State’s craft alcoholic beverage industry,
29 in an international, ultra-competitive marketplace, necessitates
30 dependable and consistent financial resources so that these
31 industries may be collectively supported and promoted on both a
32 domestic and global basis, and to help address evolving industry
33 priorities related to technology innovations, economic and supply
34 chain challenges, food and beverage science research, workforce
35 training and availability issues, and destination marketing trends.²

36

37 ²**[1.] 2.**² As used in P.L. , c. (C.) (pending before the
38 Legislature as this bill):

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

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

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

4 "Chief executive officer" means the Chief Executive Officer of
5 the New Jersey Economic Development Authority.

6 "Department" means the Department of State.

7 "Division" means the Division of Travel and Tourism in the
8 Department of State.

9 "Executive director" means Executive Director of the Division of
10 Travel and Tourism in the Department of State.

11 "Cider" means a beverage made from the alcoholic fermentation of
12 the juice of apples, including but not limited to flavored, sparkling
13 or carbonated cider.

14 "Liquors" means all distilled or rectified spirits, alcohol, brandy,
15 whisky, rum, gin and all similar distilled alcoholic beverages,
16 including all dilutions and mixtures of one or more of the foregoing,
17 such as liqueurs, cordials, and similar compounds, having an
18 alcoholic content of one-half of one percent (1/2 of 1%) or more by
19 volume.

20 "Mead" means an alcoholic beverage primarily made from
21 honey, water, and yeast, and which may contain fruit, fruit juices,
22 spices, or herbs added before or after fermentation has completed,
23 except that the ratio of fermentable sugars from fruit or fruit juices
24 shall not exceed 49 percent of the total fermentable sugars used to
25 produce mead.

26 "Qualifying licensee" means a person or entity that holds a
27 limited brewery license, a restricted brewery license, a cidery and
28 meadery license, or a craft distillery license issued pursuant to
29 R.S.33:1-10.

30
31 ²**[2.] 3.**² a. There is established in the Division of Travel and
32 Tourism in the Department of State the "New Jersey Brewery,
33 Cidery, Meadery, and Distillery Industry Promotion Account." All
34 monies received in this account shall be expended by the executive
35 director for research and development concerning the ¹limited
36 brewery, restricted¹ brewery, cidery, meadery, and ¹craft¹
37 industries in the State and for the promotion of New Jersey's
38 ¹limited brewery, restricted¹ brewery, cidery, meadery, and ¹craft¹
39 distillery industries, ²**[consistent with]** and in determining how to
40 expend these monies the executive director shall give due
41 consideration to² the recommendations of the advisory council
42 created pursuant to section 3 of P.L. , c. (C.) (pending before
43 the Legislature as this bill).

44 b. The account shall be credited annually, in an appropriation
45 by law, with an amount equal to 50 percent of the receipts from the
46 per gallon tax, as provided for pursuant to R.S.54:43-1, imposed on

1 all sales of beer, cider, mead, and liquors sold by a qualifying
2 licensee during the preceding taxable year.

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

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

10

11 ²[3.] ^{4.}² a. There is established in the division the “New
12 Jersey Brewery, Cidery, Meadery, and Distillery Industry Advisory
13 Council,” comprising seven members, one of whom shall be the
14 executive director and one of whom shall be the Chief Executive
15 Officer of the New Jersey Economic Development Authority, or
16 their respective designees, who shall serve ex officio and as
17 nonvoting members, and five public members to be appointed by
18 the ²[Secretary of State] Governor², following consultation with
19 the executive director and chief executive officer, two of whom
20 shall be representatives of the ¹limited brewery or restricted¹
21 brewery industry, one of whom shall be a representative of the
22 cidery industry, one of whom shall be a representative of the
23 meadery industry, and one of whom shall be a representative of the
24 ¹craft¹ distillery industry. To the maximum extent practicable and
25 feasible, the members appointed from the general public shall be
26 chosen so as to collectively provide wide geographical
27 representation. The members appointed from the general public
28 shall serve for terms of three years and may be reappointed and may
29 serve until a successor has been appointed. Of the public members
30 first appointed, the representatives of the ¹limited brewery or
31 restricted¹ brewery industry shall be appointed for terms of three
32 years, the representatives of the cidery and ¹craft¹ distillery
33 industries shall be appointed for terms of two years, and the
34 representative of the meadery industry shall be appointed for a term
35 of one year. A vacancy in the membership occurring other than by
36 expiration of a term shall be filled in the same manner as the
37 original appointment for the remainder of the unexpired term. The
38 members of the advisory council shall serve without compensation,
39 but the advisory council may, within the limits of funds
40 appropriated or otherwise made available to it, reimburse members
41 for actual expenses necessarily incurred in the discharge of their
42 official duties.

43 b. The advisory council shall organize as soon as its
44 membership has been appointed and shall select a chairman and
45 vice-chairman from among its members and may select a secretary,
46 who need not be a member of the advisory council. The advisory

1 council shall meet twice annually, and at other times as determined
2 by the advisory council.

3 c. It shall be the duty of the advisory council to assess the
4 condition of the ¹limited brewery, restricted¹ brewery, cidery,
5 meadery, and ¹craft¹ distillery industries of the State and to advise
6 the executive director on expenditures from the account for
7 research, development, and promotion of the New Jersey ¹limited
8 brewery, restricted¹ brewery, cidery, meadery, and ¹craft¹ distillery
9 industries.

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

14 e. The ²**[advisory council shall]** Division of Travel and
15 Tourism may² promulgate rules and regulations subject to the
16 approval of the Secretary of State to effectuate the purposes of
17 P.L. , c. (C.) (pending before the Legislature as this bill).
18 The advisory council may employ, prescribe the duties, and fix and
19 pay the compensation of such persons it may deem necessary to
20 carry out the duties of the advisory council within the limits of
21 available appropriations and subject to the approval of the Secretary
22 of State.

23
24 ²**[4.] 5.**² The Director of the Division of Taxation shall certify
25 by March 1 annually to the advisory council the taxable volume of
26 beer, cider, mead, and liquors sold by qualifying licensees during
27 the preceding taxable year.

28
29 ²**[5.] 6.**² This act shall take effect immediately.

30
31
32 _____
33
34 Establishes advisory council for the brewery, cidery, meadery,
35 and distillery industries in NJ and provides for funding through
36 certain alcoholic beverage tax receipts.

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:

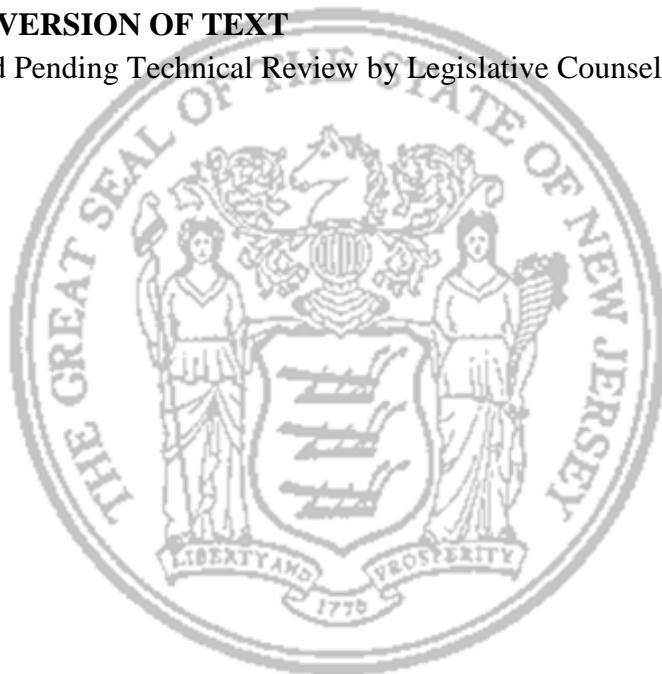
Assemblyman Calabrese

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

Introduced Pending Technical Review by Legislative Counsel.



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.

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

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

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

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

23
24 3. a. There is established in the division the "New Jersey
25 Brewery, Cidery, Meadery, and Distillery Industry Advisory
26 Council," comprising seven members, one of whom shall be the
27 executive director and one of whom shall be the Chief Executive
28 Officer of the New Jersey Economic Development Authority, or
29 their respective designees, who shall serve ex officio and as
30 nonvoting members, and five public members to be appointed by
31 the Secretary of State, following consultation with the executive
32 director and chief executive officer, two of whom shall be
33 representatives of the brewery industry, one of whom shall be a
34 representative of the cidery industry, one of whom shall be a
35 representative of the meadery industry, and one of whom shall be a
36 representative of the distillery industry. To the maximum extent
37 practicable and feasible, the members appointed from the general
38 public shall be chosen so as to collectively provide wide
39 geographical representation. The members appointed from the
40 general public shall serve for terms of three years and may be
41 reappointed and may serve until a successor has been appointed. Of
42 the public members first appointed, the representatives of the
43 brewery industry shall be appointed for terms of three years, the
44 representatives of the cidery and distillery industries shall be
45 appointed for terms of two years, and the representative of the
46 meadery industry shall be appointed for a term of one year. A
47 vacancy in the membership occurring other than by expiration of a
48 term shall be filled in the same manner as the original appointment

1 for the remainder of the unexpired term. The members of the
2 advisory council shall serve without compensation, but the advisory
3 council may, within the limits of funds appropriated or otherwise
4 made available to it, reimburse members for actual expenses
5 necessarily incurred in the discharge of their official duties.

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

12 c. It shall be the duty of the advisory council to assess the
13 condition of the brewery, cidery, meadery, and distillery industries
14 of the State and to advise the executive director on expenditures
15 from the account for research, development, and promotion of the
16 New Jersey brewery, cidery, meadery, and distillery industries.

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

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

29

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

34

35 5. This act shall take effect immediately.

36

37

38

STATEMENT

39

40 This bill establishes the “New Jersey Brewery, Cidery, Meadery,
41 and Distillery Industry Advisory Council” (advisory council), and
42 provides for funding through certain alcoholic beverage tax
43 receipts.

44 The advisory council is to comprise seven members, including
45 the Executive Director of the Division of Travel and Tourism
46 (executive director) in the Department of State and Chief Executive
47 Officer of the New Jersey Economic Development Authority, or
48 their designees, and five public members to be appointed by the

1 Secretary of State for terms of three years, following consultation
2 with the executive director and chief executive officer, two of
3 whom shall be representatives of the brewery industry, one of
4 whom shall be a representative of the cidery industry, one of whom
5 shall be a representative of the meadery industry, and one of whom
6 shall be a representative of the distillery industry. The members of
7 the advisory council are to serve without compensation, but may be
8 reimbursed for certain expenses. The advisory council is to meet
9 twice annually and at other times as determined by the advisory
10 council. The advisory council is to assess the condition of the
11 brewery, cidery, meadery, and distillery industries of the State

12 The bill also establishes a "New Jersey Brewery, Cidery,
13 Meadery, and Distillery Industry Promotion Account" (account).
14 All monies received in this account are to be expended by the
15 executive director for research and development concerning the
16 brewery, cidery, meadery, and distillery industries in the State and
17 for the promotion of New Jersey's brewery, cidery, meadery, and
18 distillery industries, consistent with the recommendations of the
19 advisory council. The bill provides that the account is to be
20 credited annually, in an appropriation by law, with an amount equal
21 to 50 percent of the receipts from the per gallon tax imposed on all
22 sales of beer, cider, mead, and liquors sold by breweries, cideries,
23 meaderies, and distilleries in this State, and any other monies made
24 available to it. The bill also requires the Secretary of State to
25 include with the annual budget request for the Department of State a
26 request for funds sufficient to carry out the purposes and intent of
27 the bill. The advisory council is to advise the executive director on
28 expenditures from the account for research, development, and
29 promotion of the New Jersey brewery, cidery, meadery, and
30 distillery industries.

31 The bill further requires the Director of the Division of Taxation
32 to certify by March 1 annually to the advisory council the taxable
33 volume of beer, cider, mead, and liquors sold by qualifying
34 licensees during the preceding taxable year.

ASSEMBLY OVERSIGHT, REFORM AND FEDERAL
RELATIONS COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1293

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 8, 2021

The Assembly Oversight, Reform and Federal Relations Committee reports favorably and with committee amendments Assembly Bill No. 1293.

As amended, this bill establishes the “New Jersey Brewery, Cidery, Meadery, and Distillery Industry Advisory Council” (advisory council), and provides for funding through certain alcoholic beverage tax receipts.

The advisory council is to comprise seven members, including the Executive Director of the Division of Travel and Tourism (executive director) in the Department of State and Chief Executive Officer of the New Jersey Economic Development Authority, or their designees, and five public members to be appointed by the Secretary of State for terms of three years, following consultation with the executive director and chief executive officer, two of whom shall be representatives of the limited and restricted brewery industry, one of whom shall be a representative of the cidery industry, one of whom shall be a representative of the meadery industry, and one of whom shall be a representative of the craft distillery industry. The members of the advisory council are to serve without compensation, but may be reimbursed for certain expenses. The advisory council is to meet twice annually and at other times as determined by the advisory council. The advisory council is to assess the condition of the limited brewery, restricted brewery, cidery, meadery, and craft distillery industries of the State

The bill also establishes a "New Jersey Brewery, Cidery, Meadery, and Distillery Industry Promotion Account" (account). All monies received in this account are to be expended by the executive director for research and development concerning the limited brewery, restricted brewery, cidery, meadery, and craft distillery industries in the State and for the promotion of New Jersey's limited brewery, restricted brewery, cidery, meadery, and craft distillery industries, consistent with the recommendations of the advisory council. The bill provides that the account is to be credited annually, in an appropriation by law, with an amount equal

to 50 percent of the receipts from the per gallon tax imposed on all sales of beer, cider, mead, and liquors sold by limited breweries, restricted breweries, cideries, meaderies, and craft distilleries in this State, and any other monies made available to it. The bill also requires the Secretary of State to include with the annual budget request for the Department of State a request for funds sufficient to carry out the purposes and intent of the bill. The advisory council is to advise the executive director on expenditures from the account for research, development, and promotion of the New Jersey limited brewery, restricted brewery, cidery, meadery, and craft distillery industries.

The bill further requires the Director of the Division of Taxation to certify by March 1 annually to the advisory council the taxable volume of beer, cider, mead, and liquors sold by qualifying licensees during the preceding taxable year.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amended the bill to clarify that eligible members of the brewery industry to the advisory council will be representatives of limited breweries and restricted breweries and eligible members of the distillery industry to the council will be representatives of craft distilleries.

SENATE STATE GOVERNMENT, WAGERING, TOURISM &
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1293

STATE OF NEW JERSEY

DATED: NOVEMBER 15, 2021

The Senate State Government, Wagering, Tourism, and Historic Preservation Committee reports favorably Assembly Bill No. 1293 (1R).

This bill establishes the “New Jersey Brewery, Cidery, Meadery, and Distillery Industry Advisory Council” (advisory council), and provides for funding through certain alcoholic beverage tax receipts.

The advisory council is to comprise seven members, including the Executive Director of the Division of Travel and Tourism (executive director) in the Department of State and Chief Executive Officer of the New Jersey Economic Development Authority, or their designees, and five public members to be appointed by the Secretary of State for terms of three years, following consultation with the executive director and chief executive officer, two of whom shall be representatives of the limited brewery or restricted brewery industry, one of whom shall be a representative of the cidery industry, one of whom shall be a representative of the meadery industry, and one of whom shall be a representative of the craft distillery industry. The members of the advisory council are to serve without compensation, but may be reimbursed for certain expenses. The advisory council is to meet twice annually and at other times as determined by the advisory council. The advisory council is to assess the condition of the limited brewery, restricted brewery, cidery, meadery, and craft distillery industries of the State.

The bill also establishes a "New Jersey Brewery, Cidery, Meadery, and Distillery Industry Promotion Account" (account). All monies received in this account are to be expended by the executive director for research and development concerning the limited brewery, restricted brewery, cidery, meadery, and craft distillery industries in the State and for the promotion of New Jersey's limited brewery, restricted brewery, cidery, meadery, and craft distillery industries, consistent with the recommendations of the advisory council. The bill provides that the account is to be credited annually, in an appropriation by law, with an amount equal to 50 percent of the receipts from the per gallon tax imposed on all

sales of beer, cider, mead, and liquors sold by breweries, cideries, meaderies, and distilleries in this State, and any other monies made available to it. The bill also requires the Secretary of State to include with the annual budget request for the Department of State a request for funds sufficient to carry out the purposes and intent of the bill. The advisory council is to advise the executive director on expenditures from the account for research, development, and promotion of the New Jersey limited brewery, restricted brewery, cidery, meadery, and craft distillery industries.

The bill further requires the Director of the Division of Taxation to certify by March 1 annually to the advisory council the taxable volume of beer, cider, mead, and liquors sold by qualifying licensees during the preceding taxable year.

Assembly Bill No. 1293 (1R) is identical to Senate Bill No. 3977 of the 2020-2021 session.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1293

STATE OF NEW JERSEY

DATED: DECEMBER 16, 2021

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 1293 (1R).

This bill establishes the “New Jersey Brewery, Cidery, Meadery, and Distillery Industry Advisory Council” (advisory council), and provides for funding through certain alcoholic beverage tax receipts.

The advisory council is to comprise seven members, including the Executive Director of the Division of Travel and Tourism (executive director) in the Department of State and Chief Executive Officer of the New Jersey Economic Development Authority, or their designees, and five public members to be appointed by the Secretary of State for terms of three years, following consultation with the executive director and chief executive officer, two of whom shall be representatives of the limited brewery or restricted brewery industry, one of whom shall be a representative of the cidery industry, one of whom shall be a representative of the meadery industry, and one of whom shall be a representative of the craft distillery industry. The members of the advisory council are to serve without compensation, but may be reimbursed for certain expenses. The advisory council is to meet twice annually and at other times as determined by the advisory council. The advisory council is to assess the condition of the limited brewery, restricted brewery, cidery, meadery, and craft distillery industries of the State.

The bill also establishes a "New Jersey Brewery, Cidery, Meadery, and Distillery Industry Promotion Account" (account). All monies received in this account are to be expended by the executive director for research and development concerning the limited brewery, restricted brewery, cidery, meadery, and craft distillery industries in the State and for the promotion of New Jersey’s limited brewery, restricted brewery, cidery, meadery, and craft distillery industries, consistent with the recommendations of the advisory council. The bill provides that the account is to be credited annually, in an appropriation by law, with an amount equal to 50 percent of the receipts from the per gallon tax imposed on all sales of beer, cider, mead, and liquors sold by breweries, cideries, meaderies, and distilleries in this State, and any other monies made available to it. The bill also requires the Secretary of State to include with the annual budget request for the Department

of State a request for funds sufficient to carry out the purposes and intent of the bill. The advisory council is to advise the executive director on expenditures from the account for research, development, and promotion of the New Jersey limited brewery, restricted brewery, cidery, meadery, and craft distillery industries.

The bill further requires the Director of the Division of Taxation to certify by March 1 annually to the advisory council the taxable volume of beer, cider, mead, and liquors sold by qualifying licensees during the preceding taxable year.

As reported by the committee, Assembly Bill No. 1293 (1R) is identical to Senate Bill No. 3977, which also was reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services believes the fiscal impact of the bill is twofold; indeterminate annual administrative expenses related to the advisory council and an annual revenue shift of State General Fund monies to a dedicated account. The Department of State's existing resources are likely to cover the advisory council's expense.

Based on data provided by the Executive, the bill's dedication would shift roughly \$150,000 to \$200,000 within the State's General Fund to the New Jersey Brewery, Cidery, Meadery, and Distillery Industry Promotion Account.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 1293

STATE OF NEW JERSEY 219th LEGISLATURE

DATED: MAY 21, 2021

SUMMARY

- Synopsis:** Establishes advisory council for the brewery, cidery, meadery, and distillery industries in NJ and provides for funding through certain alcoholic beverage tax receipts.
- Type of Impact:** Potential increase in State expenditures; Revenue shift within State's General Fund to dedicated account.
- Agencies Affected:** Department of State

Office of Legislative Services Estimate

Fiscal Impact	<u>FY 2021 and Thereafter</u>
State Cost Increase	Indeterminate
State Revenue Shift	\$150,000 to \$200,000 annually

- The Office of Legislative Services (OLS) believes the fiscal impact of the bill is twofold; administrative expenses related to the advisory council and a revenue shift of State General Fund monies to a dedicated account.
- The Department of State's existing resources may be able to cover the advisory council's expense; otherwise, a new appropriation would be required.
- Based on data provided by the Executive, the bill's dedication would shift roughly \$150,000 to \$200,000 within the State's General Fund to the New Jersey Brewery, Cidery, Meadery, and Distillery Industry Promotion Account.

BILL DESCRIPTION

This bill establishes the New Jersey Brewery, Cidery, Meadery, and Distillery Industry Advisory Council and provides for funding through certain alcoholic beverage tax receipts. The seven members of the advisory council are to serve without compensation, but may be reimbursed

for certain expenses. The advisory council is to meet twice annually and at other times as determined by the advisory council. The advisory council is to assess the condition of the limited brewery, restricted brewery, cidery, meadery, and craft distillery industries of the State

The bill also establishes a New Jersey Brewery, Cidery, Meadery, and Distillery Industry Promotion Account. All monies received in this account are to be expended by the executive director for research and development concerning the limited brewery, restricted brewery, cidery, meadery, and craft distillery industries in the State and for the promotion of New Jersey's limited brewery, restricted brewery, cidery, meadery, and craft distillery industries, consistent with the recommendations of the advisory council. The bill provides that the account is to be credited annually, via an appropriation by law, with an amount equal to 50 percent of the receipts from the per gallon tax imposed on all sales of beer, cider, mead, and liquors sold by limited breweries, restricted breweries, cideries, meaderies, and craft distilleries in this State, and any other monies made available to it. The bill also requires the Secretary of State to include with the annual budget request for the Department of State a request for funds sufficient to carry out the purposes and intent of the bill. The advisory council is to advise the executive director on expenditures from the account for research, development, and promotion of the New Jersey limited brewery, restricted brewery, cidery, meadery, and craft distillery industries.

The bill further requires the Director of the Division of Taxation to certify by March 1 annually to the advisory council the taxable volume of beer, cider, mead, and liquors sold by qualifying licensees during the preceding taxable year.

FISCAL ANALYSIS

EXECUTIVE BRANCH

The Executive provided data to the OLS regarding tax payments made by licensee type under the State's Alcoholic Beverage Tax. According to the Executive, limited brewery licensees paid \$200,608, restricted breweries paid \$8,626, and craft distilleries paid \$110,901 in tax during CY 2020. Payments by cidery and meadery licensees are unavailable. For perspective, across all licensees, the preliminary CY 2020 total for payments received was \$167.5 million. Plenary Wholesaler licensees account for almost all of those payments, totaling \$153.2 million.

OFFICE OF LEGISLATIVE SERVICES

The OLS believes the fiscal impact of the bill is twofold; administrative expenses related to the advisory council and a revenue shift of State General Fund monies to a dedicated account. The advisory council could yield an on-going State expenditure increase related to reimbursements to members for discharging official duties. The Department of State's existing resources may be able to cover the advisory council's expense; otherwise, a new appropriation would be required. Based on data provided by the Executive, the bill's dedication would shift roughly \$150,000 to \$200,000 within the State's General Fund to the New Jersey Brewery, Cidery, Meadery, and Distillery Industry Promotion Account.

Section: Revenue, Finance and Appropriations

*Analyst: Jordan M. DiGiovanni
Revenue Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

ASSEMBLY, No. 1293

STATE OF NEW JERSEY 219th LEGISLATURE

DATED: JANUARY 11, 2022

SUMMARY

- Synopsis:** Establishes advisory council for the brewery, cidery, meadery, and distillery industries in NJ and provides for funding through certain alcoholic beverage tax receipts.
- Type of Impact:** Potential increase in annual State expenditures; Revenue shift within State's General Fund to dedicated account.
- Agencies Affected:** Department of State

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Indeterminate
State Revenue Shift	\$150,000 to \$200,000

- The Office of Legislative Services (OLS) believes the fiscal impact of the bill is twofold; indeterminate annual administrative expenses related to the advisory council and a revenue shift of State General Fund monies to a dedicated account. The Department of State's existing resources may be able to cover the advisory council's expense; otherwise, a new appropriation would be required.
- Based on data provided by the Executive, the bill's dedication would shift roughly \$150,000 to \$200,000 within the State's General Fund to the New Jersey Brewery, Cidery, Meadery, and Distillery Industry Promotion Account.

BILL DESCRIPTION

This bill establishes the New Jersey Brewery, Cidery, Meadery, and Distillery Industry Advisory Council and provides for funding through certain alcoholic beverage tax receipts. The seven members of the advisory council are to serve without compensation, but may be reimbursed for certain expenses. The advisory council is to meet twice annually and at other times as determined by the advisory council. The advisory council is to assess the condition of the limited brewery, restricted brewery, cidery, meadery, and craft distillery industries of the State

The bill also establishes a New Jersey Brewery, Cidery, Meadery, and Distillery Industry Promotion Account. All monies received in this account are to be expended by the executive director for research and development concerning the limited brewery, restricted brewery, cidery, meadery, and craft distillery industries in the State and for the promotion of New Jersey's limited brewery, restricted brewery, cidery, meadery, and craft distillery industries. In determining how to expend those monies, the executive director is to consider the recommendations of the advisory council. The bill provides that the account is to be credited annually, via an appropriation by law, with an amount equal to 50 percent of the receipts from the per gallon tax imposed on all sales of beer, cider, mead, and liquors sold by limited breweries, restricted breweries, cideries, meaderies, and craft distilleries in this State, and any other monies made available to it. The bill also requires the Secretary of State to include with the annual budget request for the Department of State a request for funds sufficient to carry out the purposes and intent of the bill. The advisory council is to advise the executive director on expenditures from the account for research, development, and promotion of the New Jersey limited brewery, restricted brewery, cidery, meadery, and craft distillery industries.

The bill further requires the Director of the Division of Taxation to certify by March 1 annually to the advisory council the taxable volume of beer, cider, mead, and liquors sold by qualifying licensees during the preceding taxable year.

FISCAL ANALYSIS

EXECUTIVE BRANCH

The Executive provided data to the OLS regarding tax payments made by licensee type under the State's Alcoholic Beverage Tax. According to the Executive, limited brewery licensees paid \$200,608, restricted breweries paid \$8,626, and craft distilleries paid \$110,901 in tax during CY 2020. Payments by cidery and meadery licensees are unavailable. For perspective, across all licensees, the preliminary CY 2020 total for payments received was \$167.5 million. Plenary Wholesaler licensees account for almost all of those payments, totaling \$153.2 million.

OFFICE OF LEGISLATIVE SERVICES

The OLS believes the fiscal impact of the bill is twofold; indeterminate annual administrative expenses related to the advisory council and a revenue shift of State General Fund monies to a dedicated account. The advisory council could yield an on-going State expenditure increase related to reimbursements to members for discharging official duties. The Department of State's existing resources may be able to cover the advisory council's expenses. Based on data provided by the Executive, the bill's dedication would shift roughly \$150,000 to \$200,000 within the State's General Fund to the New Jersey Brewery, Cidery, Meadery, and Distillery Industry Promotion Account.

Section: Revenue, Finance and Appropriations
Analyst: Jordan M. DiGiovanni
Revenue Analyst
Approved: Thomas Koenig
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 1293

with Senate Floor Amendments
(Proposed by Senator GREENSTEIN)

ADOPTED: DECEMBER 20, 2021

These amendments:

(1) include a findings and declarations section to the bill to highlight the significant economic importance to the State of New Jersey and its residents that the State supports the future development, expansion, and continued success of New Jersey's burgeoning craft alcohol beverage industry in a myriad of ways;

(2) provides that the executive director would give consideration to recommendations of the advisory council in the decision-making process of how monies expended to the advisory council would be utilized;

(3) provides that the Governor would appoint members to the advisory council;

(4) provides that the Division of Travel and Tourism would promulgate rules and regulations concerning the provisions of this bill; and

(5) clarifies that the division may promulgate rules and regulations to effectuate the purposes of the bill.

SENATE, No. 3977

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JUNE 21, 2021

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Senator VIN GOPAL

District 11 (Monmouth)

Co-Sponsored by:

Senator Turner

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 introduced.



(Sponsorship Updated As Of: 11/15/2021)

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
29 of the juice of apples, including but not limited to flavored,
30 sparkling 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.

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

12 b. The account shall be credited annually, in an appropriation
13 by law, with an amount equal to 50 percent of the receipts from the
14 per gallon tax, as provided for pursuant to R.S.54:43-1, imposed on
15 all sales of beer, cider, mead, and liquors sold by a qualifying
16 licensee 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
27 Council," comprising seven members, one of whom shall be the
28 executive director and one of whom shall be the Chief Executive
29 Officer of the New Jersey Economic Development Authority, or
30 their respective designees, who shall serve ex officio and as
31 nonvoting members, and five public members to be appointed by
32 the Secretary of State, following consultation with the executive
33 director and chief executive officer, two of whom shall be
34 representatives of the limited brewery or restricted brewery
35 industry, one of whom shall be a representative of the cidery
36 industry, one of whom shall be a representative of the meadery
37 industry, and one of whom shall be a representative of the craft
38 distillery industry. To the maximum extent practicable and
39 feasible, the members appointed from the general public shall be
40 chosen so as to collectively provide wide geographical
41 representation. The members appointed from the general public
42 shall serve for terms of three years and may be reappointed and may
43 serve until a successor has been appointed. Of the public members
44 first appointed, the representatives of the limited brewery or
45 restricted brewery industry shall be appointed for terms of three
46 years, the representatives of the cidery and craft distillery industries
47 shall be appointed for terms of two years, and the representative of
48 the meadery industry shall be appointed for a term of one year. A

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

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

14 c. It shall be the duty of the advisory council to assess the
15 condition of the limited brewery, restricted brewery, cidery,
16 meadery, and craft 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 brewery, cidery, meadery, and craft 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
23 may 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
27 this bill). The advisory council may employ, prescribe the duties,
28 and fix and pay the compensation of such persons it may deem
29 necessary to carry out the duties of the advisory council within the
30 limits of available appropriations and subject to the approval of the
31 Secretary of 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.

39

40

41

STATEMENT

42

43 This bill establishes the “New Jersey Brewery, Cidery, Meadery,
44 and Distillery Industry Advisory Council” (advisory council), and
45 provides for funding through certain alcoholic beverage tax
46 receipts.

1 The advisory council is to comprise seven members, including
2 the Executive Director of the Division of Travel and Tourism
3 (executive director) in the Department of State and Chief Executive
4 Officer of the New Jersey Economic Development Authority, or
5 their designees, and five public members to be appointed by the
6 Secretary of State for terms of three years, following consultation
7 with the executive director and chief executive officer, two of
8 whom shall be representatives of the limited brewery or restricted
9 brewery industry, one of whom shall be a representative of the
10 cidery industry, one of whom shall be a representative of the
11 meadery industry, and one of whom shall be a representative of the
12 craft distillery industry. The members of the advisory council are to
13 serve without compensation, but may be reimbursed for certain
14 expenses. The advisory council is to meet twice annually and at
15 other times as determined by the advisory council. The advisory
16 council is to assess the condition of the limited brewery, restricted
17 brewery, cidery, meadery, and craft distillery industries of the State.

18 The bill also establishes a "New Jersey Brewery, Cidery,
19 Meadery, and Distillery Industry Promotion Account" (account).
20 All monies received in this account are to be expended by the
21 executive director for research and development concerning the
22 limited brewery, restricted brewery, cidery, meadery, and craft
23 distillery industries in the State and for the promotion of New
24 Jersey's limited brewery, restricted brewery, cidery, meadery, and
25 craft distillery industries, consistent with the recommendations of
26 the advisory council. The bill provides that the account is to be
27 credited annually, in an appropriation by law, with an amount equal
28 to 50 percent of the receipts from the per gallon tax imposed on all
29 sales of beer, cider, mead, and liquors sold by breweries, cideries,
30 meaderies, and distilleries in this State, and any other monies made
31 available to it. The bill also requires the Secretary of State to
32 include with the annual budget request for the Department of State a
33 request for funds sufficient to carry out the purposes and intent of
34 the bill. The advisory council is to advise the executive director on
35 expenditures from the account for research, development, and
36 promotion of the New Jersey limited brewery, restricted brewery,
37 cidery, meadery, and craft distillery industries.

38 The bill further requires the Director of the Division of Taxation
39 to certify by March 1 annually to the advisory council the taxable
40 volume of beer, cider, mead, and liquors sold by qualifying
41 licensees during the preceding taxable year.

SENATE STATE GOVERNMENT, WAGERING, TOURISM &
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

SENATE, No. 3977

STATE OF NEW JERSEY

DATED: NOVEMBER 15, 2021

The Senate State Government, Wagering, Tourism, and Historic Preservation Committee reports favorably Senate Bill No. 3977.

This bill establishes the “New Jersey Brewery, Cidery, Meadery, and Distillery Industry Advisory Council” (advisory council), and provides for funding through certain alcoholic beverage tax receipts.

The advisory council is to comprise seven members, including the Executive Director of the Division of Travel and Tourism (executive director) in the Department of State and Chief Executive Officer of the New Jersey Economic Development Authority, or their designees, and five public members to be appointed by the Secretary of State for terms of three years, following consultation with the executive director and chief executive officer, two of whom shall be representatives of the limited brewery or restricted brewery industry, one of whom shall be a representative of the cidery industry, one of whom shall be a representative of the meadery industry, and one of whom shall be a representative of the craft distillery industry. The members of the advisory council are to serve without compensation, but may be reimbursed for certain expenses. The advisory council is to meet twice annually and at other times as determined by the advisory council. The advisory council is to assess the condition of the limited brewery, restricted brewery, cidery, meadery, and craft distillery industries of the State.

The bill also establishes a "New Jersey Brewery, Cidery, Meadery, and Distillery Industry Promotion Account" (account). All monies received in this account are to be expended by the executive director for research and development concerning the limited brewery, restricted brewery, cidery, meadery, and craft distillery industries in the State and for the promotion of New Jersey's limited brewery, restricted brewery, cidery, meadery, and craft distillery industries, consistent with the recommendations of the advisory council. The bill provides that the account is to be credited annually, in an appropriation by law, with an amount equal to 50 percent of the receipts from the per gallon tax imposed on all sales of beer, cider, mead, and liquors sold by breweries, cideries, meaderies, and distilleries in this State, and any other monies made

available to it. The bill also requires the Secretary of State to include with the annual budget request for the Department of State a request for funds sufficient to carry out the purposes and intent of the bill. The advisory council is to advise the executive director on expenditures from the account for research, development, and promotion of the New Jersey limited brewery, restricted brewery, cidery, meadery, and craft distillery industries.

The bill further requires the Director of the Division of Taxation to certify by March 1 annually to the advisory council the taxable volume of beer, cider, mead, and liquors sold by qualifying licensees during the preceding taxable year.

Senate Bill No. 3977 is identical to Assembly Bill No. 1293 (1R) of the 2020-2021 session.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 3977

STATE OF NEW JERSEY

DATED: DECEMBER 16, 2021

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 3977.

This bill establishes the “New Jersey Brewery, Cidery, Meadery, and Distillery Industry Advisory Council” (advisory council), and provides for funding through certain alcoholic beverage tax receipts.

The advisory council is to comprise seven members, including the Executive Director of the Division of Travel and Tourism (executive director) in the Department of State and Chief Executive Officer of the New Jersey Economic Development Authority, or their designees, and five public members to be appointed by the Secretary of State for terms of three years, following consultation with the executive director and chief executive officer, two of whom shall be representatives of the limited brewery or restricted brewery industry, one of whom shall be a representative of the cidery industry, one of whom shall be a representative of the meadery industry, and one of whom shall be a representative of the craft distillery industry. The members of the advisory council are to serve without compensation, but may be reimbursed for certain expenses. The advisory council is to meet twice annually and at other times as determined by the advisory council. The advisory council is to assess the condition of the limited brewery, restricted brewery, cidery, meadery, and craft distillery industries of the State.

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director on expenditures from the account for research, development, and promotion of the New Jersey limited brewery, restricted brewery, cidery, meadery, and craft distillery industries.

The bill further requires the Director of the Division of Taxation to certify by March 1 annually to the advisory council the taxable volume of beer, cider, mead, and liquors sold by qualifying licensees during the preceding taxable year.

As reported by the committee, Senate Bill No. 3977 is identical to Assembly Bill No. 1293 (1R), which also was reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services believes the fiscal impact of the bill is twofold; indeterminate annual administrative expenses related to the advisory council and an annual revenue shift of State General Fund monies to a dedicated account. The Department of State's existing resources are likely to cover the advisory council's expense.

Based on data provided by the Executive, the bill's dedication would shift roughly \$150,000 to \$200,000 within the State's General Fund to the New Jersey Brewery, Cidery, Meadery, and Distillery Industry Promotion Account.

STATEMENT TO
SENATE, No. 3977

with Senate Floor Amendments
(Proposed by Senator GREENSTEIN)

ADOPTED: DECEMBER 20, 2021

These amendments:

(1) include a findings and declarations section to the bill to highlight the significant economic importance to the State of New Jersey and its residents that the State supports the future development, expansion, and continued success of New Jersey's burgeoning craft alcohol beverage industry in a myriad of ways;

(2) provides that the executive director would give consideration to recommendations of the advisory council in the decision-making process of how monies expended to the advisory council would be utilized;

(3) provides that the Governor would appoint members to the advisory council;

(4) provides that the Division of Travel and Tourism would promulgate rules and regulations concerning the provisions of this bill; and

(5) clarifies that the division may promulgate rules and regulations to effectuate the purposes of the bill.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 3977
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: DECEMBER 21, 2021

SUMMARY

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

Type of Impact: Potential increase in annual State expenditures; Revenue shift within State's General Fund to dedicated account.

Agencies Affected: Department of State

Office of Legislative Services Estimate

Fiscal Impact	<u>FY 2022 and Thereafter</u>
State Cost Increase	Indeterminate
State Revenue Shift	\$150,000 to \$200,000 annually

- The Office of Legislative Services (OLS) believes the fiscal impact of the bill is twofold; indeterminate annual administrative expenses related to the advisory council and an annual revenue shift of State General Fund monies to a dedicated account. The Department of State's existing resources are likely to cover the advisory council's expenses.
- Based on data provided by the Executive, the bill's dedication would shift roughly \$150,000 to \$200,000 within the State's General Fund to the New Jersey Brewery, Cidery, Meadery, and Distillery Industry Promotion Account.

BILL DESCRIPTION

This bill establishes the New Jersey Brewery, Cidery, Meadery, and Distillery Industry Advisory Council and provides for funding through certain alcoholic beverage tax receipts. The seven members of the advisory council are to serve without compensation, but may be reimbursed for certain expenses. The advisory council is to meet twice annually and at other times as determined by the advisory council. The advisory council is to assess the condition of the limited brewery, restricted brewery, cidery, meadery, and craft distillery industries of the State.

The bill also establishes a New Jersey Brewery, Cidery, Meadery, and Distillery Industry Promotion Account. All monies received in this account are to be expended by the executive director for research and development concerning the limited brewery, restricted brewery, cidery, meadery, and craft distillery industries in the State and for the promotion of New Jersey's limited brewery, restricted brewery, cidery, meadery, and craft distillery industries, consistent with the recommendations of the advisory council. The bill provides that the account is to be credited annually, via an appropriation by law, with an amount equal to 50 percent of the receipts from the per gallon tax imposed on all sales of beer, cider, mead, and liquors sold by limited breweries, restricted breweries, cideries, meaderies, and craft distilleries in this State, and any other monies made available to it. The bill also requires the Secretary of State to include with the annual budget request for the Department of State a request for funds sufficient to carry out the purposes and intent of the bill. The advisory council is to advise the executive director on expenditures from the account for research, development, and promotion of the New Jersey limited brewery, restricted brewery, cidery, meadery, and craft distillery industries.

The bill further requires the Director of the Division of Taxation to certify by March 1 annually to the advisory council the taxable volume of beer, cider, mead, and liquors sold by qualifying licensees during the preceding taxable year.

FISCAL ANALYSIS

EXECUTIVE BRANCH

The Executive provided data to the OLS regarding tax payments made by licensee type under the State's Alcoholic Beverage Tax. According to the Executive, limited brewery licensees paid \$200,608, restricted breweries paid \$8,626, and craft distilleries paid \$110,901 in tax during CY 2020. Payments by cidery and meadery licensees are unavailable. For perspective, across all licensees, the preliminary CY 2020 total for payments received was \$167.5 million. Plenary Wholesaler licensees account for almost all of those payments, totaling \$153.2 million.

OFFICE OF LEGISLATIVE SERVICES

The OLS believes the fiscal impact of the bill is twofold; indeterminate annual administrative expenses related to the advisory council and an annual revenue shift of State General Fund monies to a dedicated account. The advisory council could yield an on-going State expenditure increase related to reimbursements to members for discharging official duties. The Department of State's existing resources are likely to cover these expenses. Based on data provided by the Executive, the bill's dedication would shift roughly \$150,000 to \$200,000 within the State's General Fund to the New Jersey Brewery, Cidery, Meadery, and Distillery Industry Promotion Account.

Section: Revenue, Finance and Appropriations
Analyst: Jordan M. DiGiovanni
 Revenue Analyst
Approved: Thomas Koenig
 Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 3977 STATE OF NEW JERSEY 219th LEGISLATURE

DATED: JANUARY 11, 2022

SUMMARY

- Synopsis:** Establishes advisory council for the brewery, cidery, meadery, and distillery industries in NJ and provides for funding through certain alcoholic beverage tax receipts.
- Type of Impact:** Potential increase in annual State expenditures; Revenue shift within State's General Fund to dedicated account.
- Agencies Affected:** Department of State

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Indeterminate
State Revenue Shift	\$150,000 to \$200,000

- The Office of Legislative Services (OLS) believes the fiscal impact of the bill is twofold; indeterminate annual administrative expenses related to the advisory council and a revenue shift of State General Fund monies to a dedicated account. The Department of State's existing resources may be able to cover the advisory council's expense; otherwise, a new appropriation would be required
- Based on data provided by the Executive, the bill's dedication would shift roughly \$150,000 to \$200,000 within the State's General Fund to the New Jersey Brewery, Cidery, Meadery, and Distillery Industry Promotion Account.

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The bill also establishes a New Jersey Brewery, Cidery, Meadery, and Distillery Industry Promotion Account. All monies received in this account are to be expended by the executive director for research and development concerning the limited brewery, restricted brewery, cidery, meadery, and craft distillery industries in the State and for the promotion of New Jersey's limited brewery, restricted brewery, cidery, meadery, and craft distillery industries. In determining how to expend those monies, the executive director is to consider the recommendations of the advisory council. The bill provides that the account is to be credited annually, via an appropriation by law, with an amount equal to 50 percent of the receipts from the per gallon tax imposed on all sales of beer, cider, mead, and liquors sold by limited breweries, restricted breweries, cideries, meaderies, and craft distilleries in this State, and any other monies made available to it. The bill also requires the Secretary of State to include with the annual budget request for the Department of State a request for funds sufficient to carry out the purposes and intent of the bill. The advisory council is to advise the executive director on expenditures from the account for research, development, and promotion of the New Jersey limited brewery, restricted brewery, cidery, meadery, and craft distillery industries.

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Revenue Analyst*

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Legislative Budget and Finance Officer*

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Governor Murphy Takes Action on Legislation

01/18/2022

TRENTON – Governor Murphy today signed the following bills:

S-384/A-1964 (Weinberg, Singleton/Stanley, Munoz, McKeon, Sumter, Lampitt, Vainieri Huttle, Wimberly, Mosquera, Downey, Chiaravalloti) – Expands training for judges, law enforcement officers and assistant county prosecutors concerning handling of domestic violence cases

S-386/A-1763 (Weinberg, Singleton/Munoz, Vainieri Huttle, Downey, Mosquera, Lampitt, Benson) - Establishes mandatory domestic violence training for municipal prosecutors

S-396/A-4903 (Weinberg, Addiego/Johnson, Mukherji) – Adjusts statute of limitations on damage claim for construction defect in common interest communities

S-705/A-1077 (Ruiz, Cunningham/Speight, Vainieri Huttle, Downey) – Requires DOH to develop and implement plan to improve access to perinatal mood and anxiety disorder screening

SCS for S-844 and 2533/ACS for A-4635 (Pou, Greenstein/Zwicker, Lopez) – Revises reporting requirements for charitable organizations and non-profit corporations

S-867/A-2316 (Pou/Jimenez, Giblin, Johnson) – Permits physical therapists to perform dry needling under certain circumstances

S-896/A-2396 (Pou, Turner/Wimberly, Timberlake, Murphy) – Expands Office of Public Defender representation of juveniles; repeals section 4 of P.L.1968, c.371

S-969WGR/ACS for A-2687 (Ruiz, Turner/Mazzeo, Lampitt, Moen) – Establishes loan redemption program for certain teachers to redeem loan amounts received under New Jersey College Loans to Assist State Students Loan Program through employment in certain schools; makes annual appropriation of \$1 million

S-994/A-6248 (Sweeney, Singleton/Lopez) – Requires State agencies and political subdivisions to make good faith effort to purchase five percent of goods and services from Central Nonprofit Agency

SCS for S-1016/ACS for A-2070 (Smith, Bateman/Calabrese, Mukherji, Benson) – Restricts use of neonicotinoid pesticides

S-1020/AS for ACS for A-1184 and 4414 (Ruiz, Gopal/Zwicker, Conaway, Verrelli, Caputo) – Requires School Report Card to include demographic breakdown of students who receive disciplinary actions; requires Commissioner of Education to establish Statewide database concerning certain disciplinary actions

S-1559/A-1659 (Scutari, Diegnan/Quijano, Bramnick, Mukherji, Sumter, Downey, Dancer) – “New Jersey Insurance Fair Conduct Act”

S-1771/A-1489 (Madden, Turner/Moriarty, Mosquera, Vainieri Huttle) – Expressly prohibits invasive examination of unconscious patient by health care practitioner without patient’s prior informed written consent

S-2160wGR/A-5701 (Sweeney, Oroho, Singer/Carter, Lampitt, Jasey) – Creates special education unit within the Office of Administrative Law; requires annual report

SCS for S-2515/ACS for A-4676 (Smith, Greenstein/Quijano, Jasey, McKeon) – Establishes postconsumer recycled content requirements for rigid plastic containers, glass containers, paper and plastic carryout bags, and plastic trash bags; prohibits sale of polystyrene loose fill packaging

S-2723/A-2614 (Sweeney, Turner/Murphy, Benson, Timberlake) – “21st Century Integrated Digital Experience Act”

S-2830/A-5291 (Ruiz, Singleton/Quijano) – Requires educator preparation program to report passing rates of students who complete certain tests and to disseminate information on test fee waiver programs, and permits collection of student fee for certain testing costs

S-2835/A-5292 (Ruiz, Cunningham/Quijano, Lampitt, Jasey) – Requires compilation of data and issuance of annual reports on New Jersey teacher workforce

S-2921/A-5554 (Gopal, Greenstein/Houghtaling, Downey, Mukherji) – Allows municipalities to designate outdoor areas upon which people may consume alcoholic beverages

S-3009/A-4847 (Vitale, Gopal, Gill/Vainieri Huttle, Quijano, Verrelli) – Authorizes expanded provision of harm reduction services to distribute sterile syringes and provide certain support services to persons who use drugs intravenously

S-3081/A-5219 (Singleton/McKeon, Dunn) – Repeals law concerning excess rates and charges for title insurance; makes agreement to use services of title or settlement service company subject to attorney review

S-3164/A-4987 (Gopal, Singleton/Houghtaling, Vainieri Huttle, Giblin) – Creates NJ Legislative Youth Council

S-3265/A-5074 (Diegnan, Greenstein/DeAngelo, Dancer, Mukherji) – Permits members of SPRS to purchase service credit for prior public employment with federal government or another state

S-3342/A-5463 (Codey, Singleton/Jasey, Giblin, Timberlake) – Directs NJT to erect statue in honor of A. Philip Randolph; appropriates \$90,000

S-3465/A-4336 (Oroho, Sweeney/Houghtaling, Space) – Directs Department of Agriculture to pay annual premiums to enrolled dairy farmers for certain coverage under the federal Dairy Margin Coverage Program; appropriates \$125,000

S-3488wGR/A-5537 (Sweeney, Gopal, O'Scanlon/Burzichelli, Dancer, Spearman) – Modifies certain procedures pertaining to school district regionalization; establishes grant program for cost reimbursement of conducting regionalization feasibility studies; and provides financial incentives for regionalization

S-3493/A-5458 (Vitale, Gill/Vainieri Huttle, Mukherji, McKnight) – Permits expungement of possession or distribution of hypodermic syringe or needle offense in cases of previous expungement; repeals criminal offense of possession of syringe

S-3539/A5409 (T. Kean, Gopal/Houghtaling) – Directs DEP to establish grant program for local governments to support development of community gardens

S-3594/A-5509 (Singleton, Scutari/Zwicker, Reynolds-Jackson, Verrelli) – Provides that in personal

injury or wrongful death lawsuits, calculations of lost or impaired earnings capacity not be reduced because of race, ethnicity, gender identity or expression, or affectional or sexual orientation

S-3672/A-6009 (Singleton, Turner, Moen, Johnson, McKnight) – Permits exemption from civil service examination requirement for entry-level law enforcement officers, sheriff's officers, and State and county correctional police officers; permits hiring or appointment of such officers under certain conditions, and makes appropriation

S-3673/A-6219 (Gopal, Greenstein/Burzichelli) – Authorizes limited breweries and craft distilleries to sell at retail and offer for sampling purposes product bottled and stored off-site under certain circumstances

S-3685/A-5576 (Ruiz, Codey/Jasey, Lampitt, Mukherji) – Permits teacher and professional staff member who provides special services retired from TPAF to return to employment for up to two years without reenrollment in TPAF if employment commences during 2021-2022 and 2022-2023 school years

S-3707/A-5673 (Vitale, Ruiz/Vainieri Huttle, Downey, Zwicker) – Repeals statute criminalizing sexual penetration while infected with venereal disease or HIV under certain circumstances; requires that in prosecutions for endangering another by creating substantial risk of transmitting infectious disease, name of defendant and other person be kept confidential

S-3764/A-3369 (Gopal, Weinberg/Johnson, Stanley, Karabinchak) – Establishes Commission on Asian American Heritage in DOE

S-3810/ACS for A-5862 (Sweeney, Addiego, Greenstein/Benson, Quijano) – "Responsible Collective Negotiations Act"

S-3968/A-5930 (Singleton, Beach/Sumter, Karabinchak) – Increases purchasing threshold permitting Director of Division of Purchase and Property to delegate authority to agencies; increases bid advertising threshold on certain contracts by same scale

S-3975/A-5963 (Greenstein, Oroho/Benson, Vainieri Huttle, DeAngelo) – Establishes requirements to commence screening newborn infants for congenital cytomegalovirus infection; establishes public awareness campaign

S-4004wGR/A-5950 (Weinberg, Greenstein/Sumter, Benson, Reynolds-Jackson) – Establishes database of certain appointed positions and elected offices

S-4020/A-5867 (Gopal, Cunningham/Chiaravalloti, Jasey, Carter) – Expands bonding authority of New Jersey Educational Facilities Authority to permit financing for general funding needs at New Jersey's institutions of higher education

S-4021/A-6100 (Gopal, Ruiz/Mukherji, Jasey, Timberlake, Stanley) – Requires school districts to provide instruction on history and contributions of Asian Americans and Pacific Islanders as part of implementation of New Jersey Student Learning Standards in Social Studies

S-4043/A-6005 (Cunningham/Jasey, Greenwald) – Raises statutory threshold for certain public bidding, permits bidder disqualification due to prior negative experience, adds exemptions to public bidding requirement under "State College Contracts Law," and establishes process for cooperative pricing system

S-4063/A-6220 (Sweeney/Giblin, Egan) – Removes New Jersey Maritime Pilot and Docking Pilot Commission from appropriations act provision that limits compensation and health benefits; clarifies PERS and SHBP eligibility for members of commission

S-4068/ACS for A-6110 and 6185 (Sarlo, Oroho/Benson, Mukherji, Bramnick) – Revises elective pass-through entity business alternative income tax

S-4074wGR/A-6000 (Ruiz, Beach/Verrelli, Lampitt, Carter) – Allows alternative evaluation in place of basic skills testing requirements for certain teacher certification

SCS for S-4102/A-6230 (Sweeney, Ruiz/Benson, Mejia, Zwicker) – Establishes Direct Support Professional Career Development Program; appropriates \$1,000,000

S-4128/A-6231 (Sweeney, Pou/Houghtaling, Conaway, Dancer) – Requires that only fruits and vegetables grown and packaged in NJ may be labeled by food retailers as local to State

S-4207/A-6119 (Sweeney, Beach/Mukherji, Egan, Pintor Marin) – Concerns apprenticeship programs of public works contractors

S-4210/A-6062 (Sweeney, Greenstein/Greenwald, McKnight, Mukherji) – Requires EDA to establish loan program to assist certain businesses with funding to provide reasonable accommodations for employees with disabilities

S-4211/A-6228 (Sweeney, Corrado/Benson, Speight, Zwicker) – Establishes county college-based adult centers for transition for individuals with developmental disabilities; makes annual appropriation of \$4.5 million

S-4218/A-6256 (Scutari/Reynolds-Jackson, Wimberly, Mukherji) – Appropriates \$2 million to CRDA to support costs associated with hosting NAACP National Convention in Atlantic City

S-4233/A-6229 (Scutari, Gopal/Mukherji, Jimenez) – Limits fees charged to patients and authorized third parties for copies of medical and billing records

S-4252/A-6182 (Madden/Murphy, Chaparro) – Limits extension of mandatory retirement to 90 days from State Police Retirement System during emergencies

A-259/S-2224 (DeAngelo, Mukherji, Benson/Gopal, Pennacchio) – Provides civil service preference to military service members who did not serve in theater of operation but received campaign or expedition medal

A-798/S-52 (Verrelli, Vainieri Huttel, Armato/Singer, Greenstein) – Establishes local drug overdose fatality review teams

A-802/S-1352 (Verrelli, Reynolds-Jackson, Murphy/Turner, Pou) – Requires certain retailers to train employees on gift card fraud

A-862wGR/S-962 (Chiaravalloti, Karabinchak/Pennacchio, Pou) – Permits municipalities to refund excess property taxes paid by a taxpayer who wins an assessment appeal as a property tax credit

A-953/S-4031 (Karabinchak, Houghtaling/Pou) – Requires architects disclose insurance coverage

ACS for A-998 and 2349/S-4312 (Moen, Downey, Houghtaling, Benson, Vainieri Huttel/Ruiz, Beach, Singleton) – The “New Jersey Social Innovation Act”; establishes social innovation loan pilot program and study commission within EDA

A-1121/S-1871 (Murphy, Dancer, Stanley/Lagana, Pennacchio) – Upgrades certain crimes of misrepresenting oneself as member or veteran of US Armed Forces or organized militia

A-1219wGR/S-1054 (Chaparro, McKnight/Stack) – Requires owner notification of rabies testing protocol prior to testing of owner’s animal for rabies

A-1229wGR/S-2161 (Schaer, Mosquera, Tucker, Lampitt, Vainieri Huttle, Quijano, Wimberly, Pintor Marin, Jasey/Turner, Singleton) – Requires DCA to make information on homeless prevention programs and services available on its Internet website

A-1293/S-3977 (Greenwald, Burzichelli, Mukherji/Greenstein, Gopal) – Establishes advisory council for the brewery, cidery, meadery, and distillery industries in NJ and provides for funding through certain alcoholic beverage tax receipts

A-1663/S-1842 (Quijano, Vainieri Huttle, Karabinchak/Cryan, Scutari) – Establishes “New Jersey Nonprofit Security Grant Program”

A-2186/S-1599 (Mukherji, Chaparro, McKnight/Codey, Pou) – Establishes Statewide database of beds in shelters for the homeless

A-2360/S-3285 (Chaparro, Karabinchak, Johnson/Greenstein, Stack) – Requires electric public utility to charge residential rate for service used by residential customer for electric vehicle charging at charging stations within certain designated parking spaces

A-2685wGR/S-4209 (Armato, Mazzeo, Mukherji/Stack) – Concerns information on property condition disclosure statement

A-2772/S-1040 (Downey, Houghtaling, Benson/Gopal) – Authorizes certain Medicaid recipients residing on post-secondary school campus to participate remotely in meetings of non-medical nature regarding Medicaid benefits

A-2877/S-1149 (Dancer, Vainieri Huttle, Reynolds-Jackson/Ruiz) – Requires registration of certain vacant and abandoned properties with municipalities and provides enforcement tools related to maintenance of these properties

A-3007/S-3127 (Lampitt, Dunn, Benson/Lagana, Gopal) – Requires institutions of higher education to provide students with access to mental health care programs and services and to establish a hotline to provide information concerning the availability of those services

A-3392/S-1219 (Reynolds-Jackson, Timberlake, Jasey/Turner, Beach) – Requires student representative be appointed to each board of education of school district and board of trustees of charter school that includes grades nine through 12

A-3804/S-1590 (Armato, Murphy, S. Kean/Beach, A.M. Bucco) – Designates 9-1-1 operators or dispatchers as 9-1-1 first responder dispatchers

A-3870/S-2807 (Karabinchak, Johnson, Mukherji/Greenstein, Pou) – “Defense Against Porch Pirates Act”; amends theft statute

A-3950wGR/S-3180 (Verrelli, Benson, Zwicker/Greenstein, Turner) – Prohibits employer use of tracking device in vehicle operated by employee under certain circumstances

A-4002wGR/S-2257 (Caputo, Dancer, Murphy/Gopal, Sarlo) – Allows deduction of promotional gaming credit from gross revenue on sports wagering

A-4232/S-4231 (Houghtaling, Dancer, Wirths/Oroho, Smith) – Creates program in Department of Agriculture for deer fencing on certain farmland

A-4238/S-2561 (Chiaravalloti, Schaer, Benson/Gopal, Singer) – Establishes minimum Medicaid reimbursement rate for adult medical day care services

A-4241/S-2894 (Downey, Vainieri Huttle, Murphy/Pou) – Requires DHS to conduct biennial survey of SNAP experience

ACS for A-4253/S-3233 (Conaway, Pinkin, Jimenez/Cryan) – Requires certain electronic medical programs to include demographic data entry feature; requires laboratories to record certain patients' demographic information; requires certain hospitals and laboratories to implement cultural competency training program

A-4366/S-2801 (Taliaferro, Sumter, Mukherji/Pou, Greenstein) – Requires Police Training Commission to contract with crisis intervention training center to provide mental health training to police officers and establish curriculum specific to persons experiencing economic crisis or substance use disorder

A-4434wGR/S-2716 (Greenwald, Lampitt, Mukherji/Beach, Ruiz) – Establishes Student Wellness Grant Program in DOE

A-4478/S2759 (Vainieri Huttle, Speight, Schepisi, DeCroce/Vitale, Madden) – Establishes additional requirements for DOH to assess sanctions and impose penalties on nursing homes; revises reporting requirements for nursing homes

A-4569/S-3535 (Reynolds-Jackson, Benson, Karabinchak/Turner) – Requires BPU, electric power suppliers, and gas suppliers to publish certain information related to filing of customer complaints

ACS for A-4655/S-3595 (Reynolds-Jackson, Wimberly, Carter/Turner) – Limits police presence at polling places and ballot drop boxes; prohibits electioneering within 100 feet of ballot drop box

A-4771/S-2951 (Downey, Armato, Mukherji/Gopal, Singleton) – Expands offenses eligible for expungement upon successful discharge from drug court

A-4856/S-3094 (Lampitt, Benson, Caputo/Ruiz, Beach) – Requires Internet websites and web services of school districts, charter schools, renaissance schools, and the Marie H. Katzenbach School for the Deaf to be accessible to persons with disabilities

A-5033wGR/S-3279 (Benson, Dancer, Verrelli/Gopal) – Authorizes motor vehicle dealers to sell motor vehicles online and obtain electronic signatures for motor vehicle transactions

ACS for A-5075wGR/S-4001 (Burzichelli, Dancer, Johnson/Sweeney, A.M. Bucco) – Removes Fire Museum and Fallen Firefighters Memorial from auspices of DEP and establishes museum as independent organization; makes \$200,000 supplemental appropriation

A-5160/S-3324 (DeAngelo, Conaway, Zwicker/Smith, Bateman) – Establishes minimum energy and water efficiency standards for certain products sold, offered for sale, or leased in the State

A-5294/S-3418 (Speight, Vainieri Huttle, Verrelli/Gopal, Madden) – Provides fast track hiring and advancement employment opportunities by State for persons with significant disabilities

A-5296/S-3426 (Speight, Vainieri Huttle, McKnight/T. Kean, Schepisi) – Provides for employment by State of certain persons with disabilities

A-5322/S-3433 (Mosquera, Vainieri Huttle, DePhillips/Cruz-Perez, T. Kean) – Provides for process to vacate and expunge certain arrests, charges, complaints, convictions, other dispositions, and DNA

records, associated with violations by certain human trafficking victims

A-5336wGR/S-3441 (Benson, Freiman, Vainieri Huttie/Diegnan, Madden) – Requires DHS to establish payment programs for purchase of transportation services from private sector and government transportation service providers

A-5439/S-3760 (Caputo, Dancer, Murphy/Gopal, Beach) – Changes deadline for New Jersey Racing Commission's annual report from end of calendar year to end of State fiscal year

A-5694/S-3783 (Houghtaling, Downey, Dancer/Gopal, Madden) – Permits dependents of military member to enroll in school district in advance of military member's relocation to district

A-5814/S-3851 (Swain, Tully, Benson/Lagana, Diegnan) – Creates Office of School Bus Safety in Department of Education; appropriates \$200,000

A-5864wGR/S-3939 (Speight, Pintor Marin, Chaparro, McKnight, DeAngelo, Bergen/Gopal, Cryan) – Allows law enforcement officers to review body worn camera recordings prior to creating initial report

A-5997/S-4084 (Coughlin, Lopez/Sweeney, O'Scanlon) – Removes requirement for Legislature, DOE, free public libraries, and historical societies to purchase "Manual of the Legislature of New Jersey"

A-6012/S-4076 (Moen, Murphy, Freiman/Sarlo, Gopal) – Appropriates \$500,000 for USS New Jersey Commissioning Committee to support commissioning of boat and assigned personnel

A-6020/S-4114 (Conaway, Jimenez, Vainieri Huttie/Codey) – Establishes requirements for certain tobacco product retailers to stock and sell nicotine replacement therapy products

A-6060/S-4272 (Tucker, Caputo, Mukherji/Cunningham) – Makes supplemental appropriation of \$8 million to DHS to increase reimbursement for funeral, burial, and crematory services provided to certain beneficiaries of Work First New Jersey and Supplemental Security Income programs

A-6073/S-4140 (Verrelli/Vitale) – Temporarily waives certain basic life support services crewmember requirements

A-6093/S-4201 (Stanley, Benson, Timberlake/Greenstein, Gopal) – Mandates periodic cancer screening examinations for firefighters enrolled in SHBP

A-6108wGR/S-4247 (DeAngelo, Egan, Houghtaling/Madden) – Updates licenses offered by and certain licensure requirements from Board of Examiners of Electrical Contractors

A-6132/S-4235 (Schaer, Greenwald, Conaway/Singer, Gopal) – Permits volunteer paramedics to operate within mobile intensive care units

A-6133/S-4251 (Bramnick, Mukherji, Downey/Scutari) – Allows certain persons not yet appointed as administrator of estate to pursue lawsuit for damages for wrongful death on behalf of deceased's survivors

A-6150/S-4119 (DeAngelo, Karabinchak, Wirths/Oroho, Pou) – Revises penalties for transfer of certain professional and occupational licenses

A-6159/S-4236 (Coughlin, McKnight/Vitale, Ruiz) – Revises and renames Office of Food Insecurity Advocate

A-6162/S-4246 (Benson, Stanley/Gopal) – Requires certain motor vehicle dealers to maintain certain

requirements for business premises

A-6205/S-4270 (Coughlin, McKeon/Pou) – Amends certain requirements concerning insurance holding companies

A-6206wGR/S-4260 (Wimberly/Diegnan, Oroho) – Codifies right of real estate broker-salespersons and salespersons to define relationship with broker as one between broker and independent contractor or employee and enforces current and previous written agreements addressing relationship

A-6207/S-4222 (Greenwald, Lampitt, Benson/Sweeney) – Eliminates requirement for DOE to set certain tuition rates for approved private schools for students with disabilities in certain cases

A-6208/S-4151 (Mosquera, DeAngelo, Armato/Greenstein, Cruz-Perez) – Appropriates \$60,940,361 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for farmland preservation purposes

A-6209/S-4154 (Freiman, Spearman, Egan/Turner, Oroho) – Appropriates \$18 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for county planning incentive grants for farmland preservation purposes

A-6210/S-4150 (Taliaferro, Moriarty, Burzichelli/Cruz-Perez, Greenstein) – Appropriates \$4.5 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for municipal planning incentive grants for farmland preservation purposes

A-6211/S-4149 (Houghtaling, Reynolds-Jackson, Downey/Cruz-Perez, Greenstein) – Appropriates \$440,240 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for grants to certain nonprofit organizations for farmland preservation purposes

A-6212/S-4148 (Jimenez, Swain, Timberlake/Codey, Corrado) – Appropriates \$54.5 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

A-6213/S-4155 (Kennedy, Carter, Tully/Bateman, Smith) – Appropriates \$49.932 million from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects, and Green Acres Program administrative costs

A-6214/S-4153 (Danielsen, Zwicker, Conaway/Greenstein, Smith) – Appropriates \$80,539,578 from constitutionally dedicated CBT revenues and various Green Acres funds to DEP for local government open space acquisition and park development projects

A-6215/S-4152 (Stanley, Murphy, Jasey/Smith, Greenstein) – Appropriates \$14,687,510 to DEP from constitutionally dedicated CBT revenues for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes

A-6246/S-4295 (Karabinchak/Sweeney) – Concerns changes in control of hotels and disruptions of hotel services

A-6257/S-4311 (McKnight/Sweeney, Singleton) – Imposes surcharge on casino hotel occupancies to fund public safety services

A-6262/S-4314 (Burzichelli, Reynolds-Jackson, Mukherji/Sweeney, Oroho, T. Kean) – Permits PERS retiree to return to employment in NJ Legislature after retirement under certain circumstances

A-6263/S-4315 (Burzichelli, Reynolds-Jackson, Mukherji/Sweeney, Oroho, T. Kean) – Appropriates \$2 million to Legislative Services Commission

Governor Murphy pocket vetoed the following bills:

S-73/A-4580 (Bateman, Sarlo/Zwicker, Thomson, McKnight) – Establishes requirements for sale of cottage food products

S-995/A-6172 (Sweeney, A.M. Bucco/Downey, McKnight) – Requires DOLWD and DHS to conduct assessment of community rehabilitation programs and community businesses

S-1934/A-1158 (Sweeney, Pou, Cryan/Freiman, Lopez, Murphy) – Authorizes use of disability benefits for transportation provided by transportation network companies

S-2679/A-1979 (Beach, Smith/Stanley, Lopez, Kennedy) – Requires paint producers to implement or participate in paint stewardship program

S-2768/A-4664 (Singleton, Ruiz/Reynolds-Jackson, Stanley, Sumter) – Authorizes State Chief Diversity Officer to conduct disparity study concerning utilization of minority-owned and women-owned businesses in State procurement process

S-3458/A-6245 (Lagana, Gopal/Coughlin, Jimenez, Mukherji) – Revises out-of-network arbitration process

S-3529/A-5442 (Addiego, Diegnan/DeAngelo, Dancer, Dunn) – Clarifies that member of SPRS may receive accidental disability benefit under certain circumstances

S-3715/A-5804 (Cryan/Quijano, Mukherji) – Modifies certain definitions related to transient accommodation taxes and fees

S-4189/A-6112 (Vitale, Cruz-Perez/Lopez) – Permits PERS retiree to return to elective public office after retirement under certain circumstances

A-1073/S-3432 (Speight, Pintor Marin, McKnight, Timberlake/Ruiz, O'Scanlon) – Establishes requirements to screen certain people who are pregnant and who have given birth for preeclampsia

A-1269/S-3490 (Greenwald, Giblin, Calabrese/Cruz-Perez, Beach) – Eliminates one percent tax on purchasers of Class 4A commercial property transferred for consideration in excess of \$1 million

A-4958/S-3740 (Tully, Armato, Zwicker/Lagana, Oroho) – Provides temporary exemption under sales and use tax for winterizing certain small business operations

A-5334/S-3442 (Lopez, Mazzeo, Stanley/Diegnan, T. Kean) – Requires DOT, NJT, and DHS to study and implement transportation mobility and accessibility improvements for persons with autism and developmental disabilities

A-5484/S-3817 (Dancer, Caputo, Houghtaling/Lagana) – Requires New Jersey Racing Commission to adopt procedures to enforce internal controls; requires annual audit

A-6033/S-4194 (Bramnick/Sweeney, T. Kean) – Classifies golf caddies as independent contractors for purposes of State employment laws

A-6157/S-4202 (Speight, Moen/Ruiz, Beach) – Prohibits circumventing intergovernmental transfer process for law enforcement officers in certain circumstances

