

ASSEMBLY, No. 345

(P. L. 1933, Chap. 436, p. 1205, sec. 40)

(P. L. 1934, Chap. 85, p. 249, sec. 32)

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 10, 1936

By Mr. ZINK

Referred to Committee on Alcoholic Beverage Control

AN ACT to amend an act entitled "An act concerning alcoholic beverages,"
passed December sixth, one thousand nine hundred and thirty-three.

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

1 1. Section forty of the act of which this is an amendment is hereby
2 amended to read as follows:

3 40. It shall be unlawful for any owner, part owner, stockholder or
4 officer or director of any corporation, or any other person whatsoever in-
5 terested in any way whatsoever in any brewery, winery, distillery or recti-
6 fying and blending plant, or any wholesaler of alcoholic beverages, to con-
7 duct, own either in whole or in part, or be directly or indirectly interested
8 in the retailing of any alcoholic beverages except as provided in this act,
9 and such interest shall include any payments or delivery of money or prop-
10 erty by way of loan or otherwise accompanied by an agreement to sell the
11 product of said brewery, winery, distillery, rectifying and blending plant or
12 wholesaler; *provided, however,* that [prior to December sixth, one thousand
13 nine hundred and thirty-six] the ownership of or mortgage upon or any
14 other interest in licensed premises if such ownership, mortgage or interest
15 existed on December sixth, one thousand nine hundred and thirty-three, shall

16 not be deemed to be an interest in the retailing of alcoholic beverages. And
17 it shall be unlawful for any owner, part owner, stockholder or officer or di-
18 rector of any corporation, or any other person whatsoever, interested in
19 any way whatsoever in the retailing of alcoholic beverages to conduct, own
20 either in whole or in part, or to be a shareholder, officer or director of a
21 corporation or association, directly or indirectly, interested in any brewery,
22 winery, distillery, rectifying and blending plant, or wholesaler, except as
23 provided for in this act, or with any manufacturing, wholesaling or import-
24 ing interests of any kind whatsoever outside of the State. No interest in
25 the retailing of alcoholic beverages shall be deemed to exist by reason of
26 the ownership, delivery or loan of interior signs designed for and exclusively
27 used for advertising the product of or product offered for sale by such
28 brewery, winery, distillery or rectifying and blending plant or wholesaler.

STATEMENT

Section 40 of the act proposed to be amended by this bill now provides that until December 6, 1936, the ownership of or mortgage on premises licensed for retail distribution shall not constitute a violation of the prohibition against brewery interest in premises licensed for retail purposes. The effect of the amendment will be to eliminate the limitation of December 6, 1936, and to result in the permanent removal of the prohibition against brewery interest in premises licensed for retail purposes by reason of ownership of or mortgage upon premises licensed for retail distribution provided that interest existed prior to December 6, 1933.