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CL/JA

SENATE, No. 3782

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED MAY 8, 2023

Sponsored by:

Senator JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

Assemblyman JAMES J. KENNEDY

District 22 (Middlesex, Somerset and Union)

Co-Sponsored by:

Senator Sacco

SYNOPSIS

Allows sale of malt alcoholic beverages in cans or bottles marked for deposit of another state.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/30/2023)

1 AN ACT concerning deposit marked containers and supplementing
2 Title 33 of the Revised Statutes.

3

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

6

7 1. a. A manufacturer, supplier, importer, brand registrant,
8 wholesale or retail licensee or permittee shall be permitted to sell,
9 distribute, or market for resale to a consumer in this State or
10 purchase for resale to a consumer in this State any malt alcoholic
11 beverage product packaged in a bottle or can marked for deposit of
12 another state.

13 b. Nothing in this section shall be deemed to establish a deposit
14 system in this State.

15

16 2. This act shall take effect immediately.

17

18

19 STATEMENT

20

21 This bill allows the sale of malt alcoholic beverages in cans or
22 bottles marked for deposit of another state.

23 Under current regulations, N.J.A.C.13:2-27.2, a manufacturer,
24 supplier, importer, brand registrant, wholesale or retail licensee or
25 permittee is prohibited from selling, distributing, or marketing for
26 resale to a consumer in this State or purchasing for resale to a
27 consumer in this State any malt alcoholic beverage product, except
28 for malt coolers, packaged in a bottle or can marked for deposit of
29 another State.

30 This bill allows a manufacturer, supplier, importer, brand
31 registrant, wholesale or retail licensee or permittee to sell,
32 distribute, or market for resale to a consumer in this State or
33 purchase for resale to a consumer in this State any malt alcoholic
34 beverage product packaged in a bottle or can marked for deposit of
35 another state.

36 The bill also provides that the bill's provisions are not to be
37 deemed to establish a deposit system in this State. A deposit
38 system charges a deposit on a container at the time of purchase
39 which is returned to the consumer when the empty container is
40 returned.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 3782

STATE OF NEW JERSEY

DATED: MAY 18, 2023

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 3782.

As reported by the committee, Senate Bill No. 3782 allows the sale of malt alcoholic beverages in cans or bottles marked for deposit of another state.

Under current regulations, N.J.A.C.13:2-27.2, a manufacturer, supplier, importer, brand registrant, wholesale or retail licensee or permittee is prohibited from selling, distributing, or marketing for resale to a consumer in this State or purchasing for resale to a consumer in this State any malt alcoholic beverage product, except for malt coolers, packaged in a bottle or can marked for deposit of another state.

This bill allows a manufacturer, supplier, importer, brand registrant, wholesale or retail licensee or permittee to sell, distribute, or market for resale to a consumer in this State or purchase for resale to a consumer in this State any malt alcoholic beverage product packaged in a bottle or can marked for deposit of another state.

The bill also provides that the bill's provisions are not to be deemed to establish a deposit system in this State. A deposit system charges a deposit on a container at the time of purchase which is returned to the consumer when the empty container is returned.

ASSEMBLY OVERSIGHT, REFORM AND FEDERAL
RELATIONS COMMITTEE

STATEMENT TO

SENATE, No. 3782

STATE OF NEW JERSEY

DATED: MAY 24, 2023

The Assembly Oversight, Reform and Federal Relations Committee reports favorably Senate Bill No. 3782.

This bill allows the sale of malt alcoholic beverages in cans or bottles marked for deposit of another state.

Under current regulations, N.J.A.C.13:2-27.2, a manufacturer, supplier, importer, brand registrant, wholesale or retail licensee or permittee is prohibited from selling, distributing, or marketing for resale to a consumer in this State or purchasing for resale to a consumer in this State any malt alcoholic beverage product, except for malt coolers, packaged in a bottle or can marked for deposit of another State.

This bill allows a manufacturer, supplier, importer, brand registrant, wholesale or retail licensee or permittee to sell, distribute, or market for resale to a consumer in this State or purchase for resale to a consumer in this State any malt alcoholic beverage product packaged in a bottle or can marked for deposit of another state.

The bill also provides that the bill's provisions are not to be deemed to establish a deposit system in this State. A deposit system charges a deposit on a container at the time of purchase which is returned to the consumer when the empty container is returned.

As reported by the committee, this bill is identical to Assembly Bill No. 5398, which is also reported by the committee on this date.

ASSEMBLY, No. 5398

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MAY 8, 2023

Sponsored by:

Assemblyman JAMES J. KENNEDY

District 22 (Middlesex, Somerset and Union)

SYNOPSIS

Allows sale of malt alcoholic beverages in cans or bottles marked for deposit of another state.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning deposit marked containers and supplementing
2 Title 33 of the Revised Statutes.

3

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

6

7 1. a. A manufacturer, supplier, importer, brand registrant,
8 wholesale or retail licensee or permittee shall be permitted to sell,
9 distribute, or market for resale to a consumer in this State or
10 purchase for resale to a consumer in this State any malt alcoholic
11 beverage product packaged in a bottle or can marked for deposit of
12 another state.

13 b. Nothing in this section shall be deemed to establish a deposit
14 system in this State.

15

16 2. This act shall take effect immediately.

17

18

19 STATEMENT

20

21 This bill allows the sale of malt alcoholic beverages in cans or
22 bottles marked for deposit of another state.

23 Under current regulations, N.J.A.C.13:2-27.2, a manufacturer,
24 supplier, importer, brand registrant, wholesale or retail licensee or
25 permittee is prohibited from selling, distributing, or marketing for
26 resale to a consumer in this State or purchasing for resale to a
27 consumer in this State any malt alcoholic beverage product, except
28 for malt coolers, packaged in a bottle or can marked for deposit of
29 another State.

30 This bill allows a manufacturer, supplier, importer, brand
31 registrant, wholesale or retail licensee or permittee to sell,
32 distribute, or market for resale to a consumer in this State or
33 purchase for resale to a consumer in this State any malt alcoholic
34 beverage product packaged in a bottle or can marked for deposit of
35 another state.

36 The bill also provides that the bill's provisions are not to be
37 deemed to establish a deposit system in this State. A deposit
38 system charges a deposit on a container at the time of purchase
39 which is returned to the consumer when the empty container is
40 returned.

ASSEMBLY OVERSIGHT, REFORM AND FEDERAL
RELATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5398

STATE OF NEW JERSEY

DATED: MAY 24, 2023

The Assembly Oversight, Reform and Federal Relations Committee reports favorably Assembly Bill No. 5398.

This bill allows the sale of malt alcoholic beverages in cans or bottles marked for deposit of another state.

Under current regulations, N.J.A.C.13:2-27.2, a manufacturer, supplier, importer, brand registrant, wholesale or retail licensee or permittee is prohibited from selling, distributing, or marketing for resale to a consumer in this State or purchasing for resale to a consumer in this State any malt alcoholic beverage product, except for malt coolers, packaged in a bottle or can marked for deposit of another State.

This bill allows a manufacturer, supplier, importer, brand registrant, wholesale or retail licensee or permittee to sell, distribute, or market for resale to a consumer in this State or purchase for resale to a consumer in this State any malt alcoholic beverage product packaged in a bottle or can marked for deposit of another state.

The bill also provides that the bill's provisions are not to be deemed to establish a deposit system in this State. A deposit system charges a deposit on a container at the time of purchase which is returned to the consumer when the empty container is returned.

As reported by the committee, this bill is identical to Senate Bill No. 3782, which is also reported by the committee on this date.

Governor Murphy Takes Action on Legislation

11/27/2023

TRENTON – Today, Governor Murphy signed the following bills into law:

S-146/A-3328 (Diegnan, Corrado/Haider, Benson, Park) - Requires certain transportation research to consider needs of individuals with physical, sensory, intellectual, and developmental disabilities

S-1553/A-4525 (Beach, Ruiz/Lampitt, Jaffer, Jasey) – Permits State Board of Education to authorize alternative teaching certificate

S-2369/A-4017 (Singer, Madden/Benson, McKnight, Reynolds-Jackson) – Establishes minimum NJ FamilyCare reimbursement rate for traumatic brain injury special care nursing facilities; establishes enhanced NJ FamilyCare reimbursement rate for nursing facilities under certain circumstances; makes an appropriation

SCS for S-2824/ACS for A-4294 (Vitale, Pou/McKeon, McKnight, Stanley) - Requires DOBI to conduct study on impact of certain changes to individual and small group health insurance markets

S-3782/A-5398 (Lagana/Kennedy) - Allows sale of malt alcoholic beverages in cans or bottles marked for deposit of another state

S-3976/A-4934 (Greenstein, Cruz-Perez/Benson, Moen, Wimberly) - Establishes Mobility and Transportation Innovation Pilot Program in DOT; appropriates \$2 million

Governor Murphy conditionally vetoed the following bills:

SCS for S-524/ACS for A-1700 (Ruiz, Cunningham/Quijano, Mukherji, Atkins) - **CONDITIONAL** - Creates Mental Health Diversion Program to divert eligible persons away from criminal justice system and into appropriate case management and mental health services

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S-2818/A-4394 (Turner/Kennedy) - **CONDITIONAL** - Establishes "Working Group to Study Pricing of Motor Fuels by Retail Dealers"

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SCS for S-2848/A-4328 (Smith, Greenstein/DeAngelo, Karabinchak) - **CONDITIONAL** - Revises criteria for remote net metering program established by BPU

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SCS for S-3038/ACS for A-4630 (Gopal, Greenstein/Calabrese, Mukherji, Moriarty) - **CONDITIONAL** - Establishes sales and events privileges for certain alcoholic beverage manufacturers

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S-3044/A-4716 (Diegnan, Greenstein/Stanley, Benson, Mukherji) - **CONDITIONAL** - Makes supplemental appropriation of \$15 million to DEP for implementation of Electric School Program

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S-3153/A-4548 (Codey/Kennedy, Haider, Stanley) - **CONDITIONAL** - Authorizes schools to receive certain food waste from other schools, and provides exemption to such receiving schools from certain DEP permits, under certain conditions

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S-3480/A-5137 (Vitale, Pou/McKeon, Park, Murphy) - **CONDITIONAL** - "The Small Business Health Insurance Affordability Act"; revises certain requirements for individual and small employer health benefits plans

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SCS for S-3756/ACS for A5363 (Scutari, Sarlo/Schaer, Wimberly) - **CONDITIONAL** - Permits SHBP and SEHBP to award contracts for more claims administrators for each program plan; requires claims data and trend reports to be provided to certain persons

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S-3839/A-4061 (Greenstein, Steinhardt/Mukherji, Wirths, Space) - **CONDITIONAL** - Requires Commissioner of Corrections to institute 10-minute shift overlap in State correctional facilities; appropriates \$13 million

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S-4011/A-5650 (Ruiz/Coughlin, Pintor Marin, Wimberly) - **CONDITIONAL** - Modifies New Jersey Community-Anchored Development Program

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Governor Murphy absolute vetoed the following bill:

S-861/A-5460 (Zwicker, Steinhardt, Doherty/Freiman) - **ABSOLUTE** - Allows municipalities to conduct annual event for open burning of Christmas trees

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