

SENATE, No. 222

(Title 33:1-31.2)

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 28, 1938

By Mr. TAGGART

Referred to Committee on Miscellaneous Business

AN ACT concerning removal of disqualification to hold license because of conviction of crime, and amending section 33:1-31.2 of the Revised Statutes.

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

1 1. Section 33:1-31.2 of the Revised Statutes is hereby amended to read  
2 as follows:

3 33:1-31.2. Any person convicted of a crime involving moral turpitude,  
4 may after the lapse of [ten] five years from the date of conviction, apply  
5 to the commissioner for an order removing the resulting statutory disquali-  
6 fication from obtaining or holding any license or permit under this chapter.  
7 Whenever any such application is made and it appears to the satisfaction of  
8 the commissioner that at least [ten] five years have elapsed from the date  
9 of conviction, that the applicant has conducted himself in a law abiding  
10 manner during that period and that his association with the alcoholic bever-  
11 age industry will not be contrary to the public interest, the commissioner  
12 may, in his discretion and subject to rules and regulations, enter an order  
13 removing the applicant's disqualification from obtaining or holding a license  
14 or permit because of the conviction.

15 On and after the date of the entry of such order, the person therein  
16 named shall be qualified to obtain and hold a license or permit under this

17 chapter, notwithstanding the conviction therein referred to, provided he is, in  
18 all other respects, qualified under this chapter.

1     2. This act shall take effect immediately.

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STATEMENT

Under the present law, a person who has been convicted of a crime involving moral turpitude, no matter how mitigating the circumstances might be, cannot apply to the Alcoholic Beverage Commissioner for an order removing a statutory disqualification for obtaining or holding any license or permit until after the expiration of ten years from any such conviction.

The purpose of this act is to reduce the time period to five years.

This bill does not in anywise remove the discretion of the Alcoholic Beverage Commissioner as to whether or not a license or permit should be granted and even after the expiration of five years, the commissioner can refuse a license or permit if, in his discretion, he thinks it is for the best interest that the license or permit should not be granted.