

12A:12-1

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2001 **CHAPTER:** 116
NJSA: 12A:12-1 ("Uniform Electronic Transactions Guide")
BILL NO: S1183 (Substituted for A2497)

SPONSOR(S): Kyrillos

DATE INTRODUCED: March 27, 2000

COMMITTEE: **ASSEMBLY:** Telecommunications
SENATE: Judiciary

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** May 10, 2000
SENATE: May 14, 2001

DATE OF APPROVAL: June 26, 2001

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (3rd reprint enacted)

(Amendments during passage denoted by superscript numbers)

S1183

SPONSORS STATEMENT: (Begins on page 11 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

FLOOR AMENDMENT STATEMENTS: Yes 9/21/00
(Senate)

1/29/01 (Assembly)

LEGISLATIVE FISCAL ESTIMATE: No

A2497

SPONSORS STATEMENT: (Begins on page 10 of original bill) Yes

Bill and Sponsors Statement identical to S1183

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

Identical to Assembly Statement to S1183

SENATE: No

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

FINAL VERSION (1st reprint) Yes

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

SENATE, No. 647

STATE OF NEW JERSEY
209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Senator JOSEPH M. KYRILLOS, JR.

District 13 (Middlesex and Monmouth)

SYNOPSIS

Permits nonprofit organizations to auction alcoholic beverages.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the auctioning of alcoholic beverages and
2 supplementing 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. The director may issue a special auction permit to any
8 nonprofit organization operating solely for civic, religious,
9 educational, charitable, fraternal, social or recreational purposes. The
10 fee for the license shall be \$100.

11 b. The permit shall only entitle the permittee to sell at auction
12 alcoholic beverages donated to the organization. Alcoholic beverage
13 licensees may donate alcoholic beverages to a nonprofit organization
14 which has been issued a permit under this section, provided such
15 donations are not made in connection with a sale of an alcoholic
16 beverage.

17 c. The permit shall be valid only for the date specified. Only one
18 such permit shall be issued to a nonprofit organization in any 12-
19 month period.

20 d. Pursuant to the provisions of the "Administrative Procedure
21 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the director shall
22 promulgate regulations to effectuate the provisions of this act.

23

24 2. This act shall take effect on the first day of the third month after
25 enactment; provided however, the Director of the Division of
26 Alcoholic Beverage Control in the Department of Law and Public
27 Safety may take such anticipatory action as needed to effectuate the
28 act's provisions.

29

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STATEMENT

31

32 Under the provisions of this bill, the Director of the Division of
33 Alcoholic Beverage Control may issue a special auction permit to any
34 nonprofit organization operating solely for civic, religious,
35 educational, charitable, fraternal, social or recreational purposes. The
36 fee for the license would be \$100.

37 The permit would entitle the organization to sell at auction
38 alcoholic beverages donated to it by a licensee. Alcoholic beverage
39 licensees would be permitted to donate alcoholic beverages to a
40 nonprofit organization which has been issued a permit under the bill,
41 provided such donations are not made in connection with the sale of
42 alcoholic beverages.

43 The bill provides that the permit would be valid only for the date
44 specified. Only one such permit could be issued to a nonprofit
45 organization in any 12-month period.

46 This bill is modeled on a California statute that permits nonprofit
47 organizations to auction alcoholic beverages.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 647

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 20, 2000

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 647.

Under the provisions of this bill, the Director of the Division of Alcoholic Beverage Control may issue a special auction permit to any nonprofit organization operating solely for civic, religious, educational, charitable, fraternal, social or recreational purposes. The fee for the license would be \$100.

The permit would entitle the organization to sell at auction alcoholic beverages donated to it by a licensee. New Jersey alcoholic beverage licensees would be permitted to donate alcoholic beverages to a nonprofit organization which has been issued a permit under the bill, provided such donations are not made in connection with the sale of alcoholic beverages.

The bill provides that the permit would be valid only for the date specified. Only one such permit could be issued to a nonprofit organization in any calendar year.

This bill is modeled on a California statute that permits nonprofit organizations to auction alcoholic beverages.

The committee amendments are technical in nature.

[First Reprint]

SENATE, No. 647

STATE OF NEW JERSEY
209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Senator JOSEPH M. KYRILLOS, JR.

District 13 (Middlesex and Monmouth)

SYNOPSIS

Permits nonprofit organizations to auction alcoholic beverages.

CURRENT VERSION OF TEXT

As reported by the Senate Law and Public Safety Committee on March 20, 2000, with amendments.



S647 [1R] KYRILLOS

2

1 AN ACT concerning the auctioning of alcoholic beverages and
2 supplementing 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. The director may issue a special auction permit to any
8 nonprofit organization operating solely for civic, religious,
9 educational, charitable, fraternal, social or recreational purposes. The
10 fee for the license shall be \$100.

11 b. The permit shall only entitle the permittee to sell at auction
12 alcoholic beverages donated to the organization. ¹[Alcoholic
13 beverage licensees] A person licensed under Title 33 of the Revised
14 Statutes¹ may donate alcoholic beverages to a nonprofit organization
15 which has been issued a permit under this section, provided such
16 donations are not made in connection with a sale of an alcoholic
17 beverage.

18 c. The permit shall be valid only for the date specified. Only one
19 such permit shall be issued to a nonprofit organization in any
20 ¹[12-month period] calender year¹.

21 d. Pursuant to the provisions of the "Administrative Procedure
22 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the director shall
23 promulgate regulations to effectuate the provisions of this act.

24

25 2. This act shall take effect on the first day of the third month after
26 enactment; provided however, the Director of the Division of
27 Alcoholic Beverage Control in the Department of Law and Public
28 Safety may take such anticipatory action as needed to effectuate the
29 act's provisions.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SLP committee amendments adopted March 20, 2000.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 647

STATE OF NEW JERSEY

DATED: FEBRUARY 5, 2001

The Assembly Law and Public Safety Committee reports favorably Senate Bill No. 647 (1R).

Senate Bill No. 647 (1R) authorizes the Director of the Division of Alcoholic Beverage Control to issue a special auction permit to any nonprofit organization operating solely for civic, religious, educational, charitable, fraternal, social or recreational purposes. The fee for the license would be \$100.

The permit would entitle the organization to sell at auction alcoholic beverages donated to it by a New Jersey alcoholic beverage licensee. The bill authorizes these licensees to donate alcoholic beverages to nonprofit organizations holding a permit under the bill only if the donations are not made in connection with the sale of alcoholic beverages.

The bill provides that the permit would be valid only for the date specified. Only one such permit could be issued to a nonprofit organization in any calendar year.

This bill is modeled on a California statute that permits nonprofit organizations to auction alcoholic beverages.

STATEMENT TO
[First Reprint]
SENATE, No. 647

with Assembly Floor Amendments
(Proposed By Assemblyman THOMPSON)

ADOPTED: MARCH 26, 2001

Senate Bill No. 647 (1R) authorizes the Director of the Division of Alcoholic Beverage Control to issue a special auction permit to any nonprofit organization operating solely for civic, religious, educational, charitable, fraternal, social or recreational purposes. The fee for the license would be \$100.

Under this Senate amendment, alcoholic beverage licensees would be limited to donating alcoholic beverages to a maximum of three nonprofit organizations in any calendar year.

[Second Reprint]

SENATE, No. 647

STATE OF NEW JERSEY
209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Senator JOSEPH M. KYRILLOS, JR.

District 13 (Middlesex and Monmouth)

SYNOPSIS

Permits nonprofit organizations to auction alcoholic beverages.

CURRENT VERSION OF TEXT

As amended by the General Assembly on March 26, 2001.



1 AN ACT concerning the auctioning of alcoholic beverages and
2 supplementing 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. The director may issue a special auction permit to any
8 nonprofit organization operating solely for civic, religious,
9 educational, charitable, fraternal, social or recreational purposes. The
10 fee for the license shall be \$100.

11 b. The permit shall only entitle the permittee to sell at auction
12 alcoholic beverages donated to the organization. ¹[Alcoholic
13 beverage licensees] A person licensed under Title 33 of the Revised
14 Statutes¹ may ²in any calendar year² donate alcoholic beverages to a
15 ²maximum of three² nonprofit ²[organization] organizations² which
16 ²[has] have² been issued a permit under this section, provided such
17 donations are not made in connection with a sale of an alcoholic
18 beverage.

19 c. The permit shall be valid only for the date specified. Only one
20 such permit shall be issued to a nonprofit organization in any
21 ¹[12-month period] calender year¹.

22 d. Pursuant to the provisions of the "Administrative Procedure
23 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the director shall
24 promulgate regulations to effectuate the provisions of this act.

25

26 2. This act shall take effect on the first day of the third month after
27 enactment; provided however, the Director of the Division of
28 Alcoholic Beverage Control in the Department of Law and Public
29 Safety may take such anticipatory action as needed to effectuate the
30 act's provisions.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SLP committee amendments adopted March 20, 2000.

² Assembly floor amendments adopted March 26, 2001.

ASSEMBLY, No. 2977

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED NOVEMBER 13, 2000

Sponsored by:

Assemblyman JOSEPH AZZOLINA

District 13 (Middlesex and Monmouth)

Assemblyman GUY R. GREGG

District 24 (Sussex, Hunterdon and Morris)

SYNOPSIS

Permits nonprofit organizations to auction alcoholic beverages.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the auctioning of alcoholic beverages and
2 supplementing 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. The director may issue a special auction permit to any
8 nonprofit organization operating solely for civic, religious,
9 educational, charitable, fraternal, social or recreational purposes. The
10 fee for the license shall be \$100.

11 b. The permit shall only entitle the permittee to sell at auction
12 alcoholic beverages donated to the organization. A person licensed
13 under Title 33 of the Revised Statutes may donate alcoholic beverages
14 to a nonprofit organization which has been issued a permit under this
15 section, provided such donations are not made in connection with a
16 sale of an alcoholic beverage.

17 c. The permit shall be valid only for the date specified. Only one
18 such permit shall be issued to a nonprofit organization in any calender
19 year.

20 d. Pursuant to the provisions of the "Administrative Procedure
21 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the director shall
22 promulgate regulations to effectuate the provisions of this act.

23
24 2. This act shall take effect on the first day of the third month after
25 enactment; provided however, the Director of the Division of
26 Alcoholic Beverage Control in the Department of Law and Public
27 Safety may take such anticipatory action as needed to effectuate the
28 act's provisions.

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30 STATEMENT

31
32 Under the provisions of this bill, the Director of the Division of
33 Alcoholic Beverage Control may issue a special auction permit to any
34 nonprofit organization operating solely for civic, religious,
35 educational, charitable, fraternal, social or recreational purposes. The
36 fee for the license would be \$100.

37 The permit would entitle the organization to sell at auction
38 alcoholic beverages donated to it by a licensee. New Jersey alcoholic
39 beverage licensees would be permitted to donate alcoholic beverages
40 to a nonprofit organization which has been issued a permit under the
41 bill, provided such donations are not made in connection with the sale
42 of alcoholic beverages.

43 The bill provides that the permit would be valid only for the date
44 specified. Only one such permit could be issued to a nonprofit
45 organization in any calender year.

46 This bill is modeled on a California statute that permits nonprofit
47 organizations to auction alcoholic beverages.

P.L. 2001, CHAPTER 115, *approved June 26, 2001*
Senate Bill No. 647 (*Second Reprint*)

1 AN ACT concerning the auctioning of alcoholic beverages and
2 supplementing 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. The director may issue a special auction permit to any
8 nonprofit organization operating solely for civic, religious,
9 educational, charitable, fraternal, social or recreational purposes. The
10 fee for the license shall be \$100.

11 b. The permit shall only entitle the permittee to sell at auction
12 alcoholic beverages donated to the organization. ¹[Alcoholic
13 beverage licensees] A person licensed under Title 33 of the Revised
14 Statutes¹ may ²in any calendar year² donate alcoholic beverages to a
15 ²maximum of three² nonprofit ²[organization] organizations² which
16 ²[has] have² been issued a permit under this section, provided such
17 donations are not made in connection with a sale of an alcoholic
18 beverage.

19 c. The permit shall be valid only for the date specified. Only one
20 such permit shall be issued to a nonprofit organization in any
21 ¹[12-month period] calender year¹.

22 d. Pursuant to the provisions of the "Administrative Procedure
23 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the director shall
24 promulgate regulations to effectuate the provisions of this act.

25

26 2. This act shall take effect on the first day of the third month after
27 enactment; provided however, the Director of the Division of
28 Alcoholic Beverage Control in the Department of Law and Public
29 Safety may take such anticipatory action as needed to effectuate the
30 act's provisions.

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35 Permits nonprofit organizations to auction alcoholic beverages.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SLP committee amendments adopted March 20, 2000.

² Assembly floor amendments adopted March 26, 2001.

CHAPTER 115

AN ACT concerning the auctioning of alcoholic beverages and supplementing Title 33 of the Revised Statutes.

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

C.33:1-97 Special auction permit to nonprofit organization; fee, duration.

1. a. The director may issue a special auction permit to any nonprofit organization operating solely for civic, religious, educational, charitable, fraternal, social or recreational purposes. The fee for the license shall be \$100.

b. The permit shall only entitle the permittee to sell at auction alcoholic beverages donated to the organization. A person licensed under Title 33 of the Revised Statutes may in any calendar year donate alcoholic beverages to a maximum of three nonprofit organizations which have been issued a permit under this section, provided such donations are not made in connection with a sale of an alcoholic beverage.

c. The permit shall be valid only for the date specified. Only one such permit shall be issued to a nonprofit organization in any calendar year.

d. Pursuant to the provisions of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the director shall promulgate regulations to effectuate the provisions of this act.

2. This act shall take effect on the first day of the third month after enactment; provided however, the Director of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety may take such anticipatory action as needed to effectuate the act's provisions.

Approved June 26, 2001.

Office of the Governor
NEWS RELEASE

PO BOX 004
TRENTON, NJ 08625

CONTACT: Rae Hutton
609-777-2600

RELEASE: June 27 , 2001

Acting Governor Donald T. DiFrancesco has signed the following legislation:

S-1183, sponsored by Joseph Kyrillos (R-Middlesex/Monmouth) and Assemblyman Steven Corodemus (R-Monmouth), enacts the Uniform Electronic Transactions Act (UETA) as approved and recommended for enactment in all states by the National Conference of Commissioners on Uniform State Laws (NCCUSL). Under this law an electronic signature will be the equivalent of a paper record and will be given the same legal effect as a manual signature.