

33:1-81 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 33:1-81 et al

(Drivers license
suspension--purchasing
alcoholic beverages
underage--six months)

LAWS OF: 1985

CHAPTER: 113

Bill No: S2679

Sponsor(s): Di Francesco and Orechio

Date Introduced: January 31, 1985

Committee: Assembly: -----

Senate: -----

Amended during passage: No

Date of Passage: Assembly: February 28, 1985

Senate: January 31, 1985

Date of Approval: April 9, 1985

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly No

Senate No

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

SENATE, No. 2679

STATE OF NEW JERSEY

INTRODUCED JANUARY 31, 1985

By Senators DiFRANCESCO and ORECHIO

(Without Reference)

AN ACT concerning alcoholic beverages, amending R. S. 33:1-81 and P. L. 1983, c. 574 and supplementing Title 33 of the Revised Statutes.

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

1 1. R. S. 33:1-81 is amended to read as follows:

2 33:1-81. It shall be unlawful for (a) a person under the legal
3 age for purchasing alcoholic beverages to enter any premises
4 licensed for the retail sale of alcoholic beverages for the purpose
5 of purchasing, or having served or delivered to him or her, any
6 alcoholic beverage; or

7 (b) A person under the legal age for purchasing alcoholic bev-
8 erages to consume any alcoholic beverage on premises licensed
9 for the retail sale of alcoholic beverages, or to purchase, attempt to
10 purchase or have another purchase for him any alcoholic beverage;
11 or

12 (c) Any person to misrepresent or misstate his age, or the age
13 of any other person for the purpose of inducing any licensee or any
14 employee of any licensee, to sell, serve or deliver any alcoholic
15 beverage to a person under the legal age for purchasing alcoholic
16 beverages; or

17 (d) Any person to enter any premises licensed for the retail sale
18 of alcoholic beverages for the purpose of purchasing, or to purchase
19 alcoholic beverages, for another person who does not because of his
20 age have the right to purchase and consume alcoholic beverages.

21 Any person who shall violate any of the provisions of this section
22 shall be deemed and adjudged to be a disorderly person, and upon

**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 printed in italics *thus* is new matter.

23 conviction thereof, shall be punished by a fine of not less than
 24 \$100.00. In addition, the court shall suspend the person's license
 25 to operate a motor vehicle for **one year** *six months* or prohibit
 26 the person from obtaining a license to operate a motor vehicle in
 27 this State for **one year** *six months* beginning on the date he
 28 becomes eligible to obtain a license or on the date of conviction,
 29 whichever is later. In addition to the general penalty prescribed
 30 for an offense, the court may require any person under the legal age
 31 to purchase alcoholic beverages who violates this act to participate
 32 in an alcohol education or treatment program authorized by the
 33 Department of Health for a period not to exceed the maximum
 34 period of confinement prescribed by law for the offense for which
 35 the individual has been convicted.

1 2. Section 2 of P. L. 1983, c. 574 is amended to read as follows:

2 2. This act shall take effect **immediately** *on July 1, 1985*.

1 3. (New section) Any person who was convicted of a violation of
 2 R. S. 33:1-81 for an offense committed on or after January 17, 1984
 3 through June 30, 1985 inclusive and who consequently had his motor
 4 vehicle license suspended or postponed for one year may move to
 5 have that penalty provision reviewed by the sentencing court. For
 6 good cause shown, the court is authorized to reduce that penalty
 7 and the person shall receive credit toward a new lesser period of
 8 suspension or postponement for any time already under suspension
 9 or postponement.

1 4. This act shall take effect immediately and shall be retroactive
 2 to January 17, 1984.

STATEMENT

This bill changes the period of drivers license suspension or postponement for violators of R. S. 33:1-81 concerning purchases of alcoholic beverages by or for persons under the legal age. R. S. 33:1-81 was amended by P. L. 1983, c. 574 to make that period a mandatory one year. This bill changes that period to a mandatory six months which is in conformity with the mandatory minimum period of suspension for a first offense of driving under the influence under R. S. 39:4-50.

This bill also changes the effective date of P. L. 1983, c. 574 to July 1, 1985. Originally, that law took effect immediately on January 17, 1984.

Further, this bill permits persons convicted as disorderly persons under R. S. 33:1-81 during the period from January 17, 1984 through June 30, 1985, to make application for a reduction in the period of license suspension or postponement imposed.

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52679 (1985)

S-2050, sponsored by State Senator Frank X. Graves, D-Passaic, which provides that when property is forfeited as part of a criminal investigation, the property shall be allocated to the prosecuting agency and shared with the governmental agency which funds the investigating agency.

S-2672, sponsored by State Senator Joseph Hirkala, D-Passaic, which validates school bonds authorized by the Passaic Public School System.

S-2679, sponsored by State Senator Donald T. DiFrancesco, R-Union, which changes from one year to six months the drivers license suspension period for persons convicted of violating the laws governing the purchase of alcoholic beverages by or for persons under the legal drinking age.

A-332, sponsored by Assemblyman Thomas J. Shusted, R-Camden, which transfers responsibility for administration of the Spill Compensation Fund from the Department of the Treasury to the Department of Environmental Protection.

A-601, sponsored by Assemblyman Joseph Charles, Jr., D-Hudson, which appropriates \$250,000 to the Department of Environmental Protection for the Liberty State Park Development Corporation in order to permit the corporation to carry out its responsibilities in overseeing and managing the cooperative improvements being made at the park with non-State funding.

A-1113, also sponsored by Assembly Schuber, which requires county and municipal sewerage authorities and utility authorities to give at least 20 days notice before holding public hearings on adjustments to customers services.

A-1577, sponsored by Assemblyman Wayne R. Bryant, D-Camden, which increases the salaries of members of the State Commission of Investigation from \$18,000 to \$25,000 and limits individual members to two consecutive three year terms plus any portion of an unexpired term to which they were appointed.