

33:1-74

LEGISLATIVE HISTORY CHECKLIST

(ABC permits to be issued for 1 day on day generally prohibited)

NJSA 33:1-74

LAWS 1982

CHAPTER 37

Bill No. S1475

Sponsor(s) Orechio and Costello

Date Introduced June 3, 1982

Committee: Assembly _____

Senate _____

Amended during passage Yes

No Substituted for A1616 (not attached since identical to S1475)

Date of Passage: Assembly June 14, 1982

Senate June 7, 1982

Date of approval June 14, 1982

Following statements are attached if available:

Sponsor statement	Yes	No
Committee Statement: Assembly	Yes	No
Senate	Yes	No
Fiscal Note	Yes	No
Veto Message	Yes	No
Message on signing	Yes	No

Following were printed:

Reports	Yes	No
Hearings	Yes	No

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6/22/81

SENATE, No. 1475

STATE OF NEW JERSEY

INTRODUCED JUNE 3, 1982

By Senators ORECHIO and COSTELLO

(Without Reference)

AN ACT concerning temporary permits for the sale of alcoholic beverages and amending R. S. 33:1-74.

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

1 1. R. S. 33:1-74 is amended to read as follows:

2 33:1-74. *a.* To provide for contingencies where it would be appro-
3 priate and consonant with the spirit of this chapter to issue a
4 license but the contingency has not been expressly provided for,
5 the director of the division may for special cause shown, subject
6 to rules and regulations, issue temporary permits. The fee for a
7 1-day permit authorizing the sale of alcoholic beverages for con-
8 sumption on a designated premises by civic, religious or educational
9 organizations shall be \$50.00 and for a 1-day permit authorizing
10 such sale by any other organization, \$75.00. The fee for any other
11 type of temporary permit shall be determined in each case by the
12 director of the division and shall not be less than \$5.00 nor more
13 than \$500.00, payable to the director of the division and to be
14 accounted for by him as are license fees.

15 *b.* As to any designated premises such temporary permits shall
16 not exceed in the aggregate 25 in any 1 calendar year, but the
17 director of the division may by said rules and regulations provide
18 for a lesser number in the aggregate for any such designated
19 premises in any 1 calendar year.

20 *c.* *The issuance of temporary permits to authorize the sale of*
21 *alcoholic beverages by the glass or other open receptacle by civic,*
22 *religious, educational or other qualified organizations shall be*

Matter printed in italics thus is new matter.

23 *permissible notwithstanding that the sale of alcoholic beverages*
24 *has otherwise been prohibited by referendum under R. S. 33:1-44*
25 *through R. S. 33:1-47 or municipal ordinance or resolution.*

1 2. This act shall take effect immediately.

STATEMENT

Under the Alcoholic Beverage Law, the sale of alcoholic beverages may be prohibited completely, or on certain days (usually Sunday), as a result of municipal ordinance, referendum or absence of municipal enabling legislation.

The Director of the Division of Alcoholic Beverage Control is also authorized by law to issue one day special permits to civic, religious, educational and other qualified nonprofit organizations to permit the sale of alcoholic beverages for consumption on a designated premises. Qualified organizations and educational institutions avail themselves of these permits to raise funds to further the group's civic, religious or charitable objectives, programs or purposes.

Because of the prohibition against sales of alcoholic beverages on Sundays in 35 municipalities and total prohibition in 42 other municipalities, these worthwhile groups and the important functions they perform for a community are currently precluded from, or limited in, obtaining a one day special permit.

The bill amends R. S. 33:1-74 to permit the Director to issue one day permits to qualified organizations for sales on a day that would otherwise be prohibited. Administrative regulations provide for safeguards, review and municipal approval requirements as set forth in N.J.A.C. 13:2-5.1.
