

33:1-26.1

LEGISLATIVE HISTORY CHECKLIST

Policemen--allow employment in retail liquor establishment outside municipality)

NJSA 33:1-26.1

LAWS 1982

CHAPTER 84

Bill No. A609

Sponsor(s) Markert and others

Date Introduced February 1, 1982

Committee: Assembly Municipal Government

Senate County and Municipal Government

Amended during passage Yes ~~NO~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly May 1, 1982

Senate May 24, 1982

Date of approval July 23, 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~~

6/22/81

7-23-82

[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 609

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 1, 1982

By Assemblyman MARKERT, Assemblywoman WRIGHT and
Assemblyman SCHUBER

Referred to Committee on Municipal Government

AN ACT concerning alcoholic beverage control 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. Nothing within the provisions of Title 33 of the Revised
2 Statutes or any regulation promulgated pursuant thereto by the
3 Division of Alcoholic Beverage Control in the Department of Law
4 and Public Safety shall prohibit permanent, full-time members of
5 municipal police departments ***or of county police departments***
6 from being employed, other than in the municipality ***[in]** ***,
7 *or in the county, as the case may be, for*** which they serve as police
7A officers, by a business licensed to sell alcoholic beverages in this
7B State.

8 **A police officer so employed shall not, while engaged in the sell-*
9 *ing, serving, possessing or delivering of any alcoholic beverages:*

10 a. *Have in his possession any firearm; or*

11 b. *Wear or display any uniform, badge or insignia which would*
12 *identify him as a police officer.*

13 *No police officer so employed shall be permitted to work in excess*
14 *of 24 hours a week in any such establishment.**

1 2. This act shall take effect immediately.

**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.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Assembly committee amendment adopted February 22, 1982.**

****—Senate committee amendments adopted March 15, 1982.**

ASSEMBLY, No. 609

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 1, 1982

By Assemblyman MARKERT, Assemblywoman WRIGHT and
Assemblyman SCHUBER

Referred to Committee on Municipal Government

AN ACT concerning alcoholic beverage control 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. Nothing within the provisions of Title 33 of the Revised
2 Statutes or any regulation promulgated pursuant thereto by the
3 Division of Alcoholic Beverage Control in the Department of Law
4 and Public Safety shall prohibit permanent, full-time members of
5 municipal police departments from being employed, other than
6 in the municipality in which they serve as police officers, by a busi-
7 ness licensed to sell alcoholic beverages in this State.

1 2. This act shall take effect immediately.

STATEMENT

This bill would allow municipal police officers to be employed by a business licensed to sell alcoholic beverages in a municipality other than the municipality in which they serve as police officers. While nothing in the statutes currently prohibits such activity, N. J. A. C. 13:2-23.31 prevents police officers from retaining part-time employment in an establishment holding a license. This bill, therefore, would remove such restrictions and allow police officers to engage in the activities described herein.

LAW LIBRARY COPY
DO NOT REMOVE

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 609

STATE OF NEW JERSEY

DATED: FEBRUARY 22, 1982

Assembly Bill 609 supplements Title 33 of the Revised Statutes in order to permit permanent, full-time municipal police officers to work in establishments which are licensed to sell alcoholic beverages in municipalities other than the one in which they are employed as police officers.

Current law does not prohibit such employment. The Division of Alcoholic Beverage Control, however, has limited and restricted the employment of regular police officers in such establishments by regulation. Under the provisions of section 23.31 of chapter 2 of Title 13 of the New Jersey Administrative Code, regular police officers, upon the approval of both the chief law enforcement officer in their jurisdiction and the Director of the Division of Alcoholic Beverage Control, may be employed by establishments licensed to sell alcoholic beverages in municipalities other than the one in which they are employed as police officers, provided that the position of employment is in a non-managerial capacity and does not involve the selling, serving, possessing or delivering of any alcoholic beverages.

It is the committee's understanding that if Assembly Bill No. 609 is enacted into law, permanent, full-time municipal police officers will be permitted to work in managerial positions and in positions which involve the selling, serving, possessing or delivering of alcoholic beverages for eligible establishments.

The committee at the sponsor's request amended the bill to prohibit a police officer from working more than 24 hours a week in any such establishment. In addition, the committee, at the sponsor's request, amended the bill to prohibit a police officer while selling, serving, possessing or delivering any alcoholic beverages from:

1. having in his possession any firearm, or
2. wearing or displaying any uniform, badge or insignia which would identify him as a police officer.

SENATE COUNTY AND MUNICIPAL
GOVERNMENT COMMITTEE

STATEMENT TO
ASSEMBLY, No. 609
with Senate committee amendments

STATE OF NEW JERSEY

DATED: MARCH 15, 1982

Assembly Bill No. 609, as amended by the Senate committee, supplements Title 33 of the Revised Statutes in order to permit permanent, full-time municipal or county police officers to work in establishments which are licensed to sell alcoholic beverages in municipalities or counties other than the one for which they are employed as police officers.

Current law does not prohibit such employment. The Division of Alcoholic Beverage Control, however, has limited and restricted the employment of regular police officers in such establishments by regulation. Under the provisions of section 23.31 of chapter 2 of Title 13 of the New Jersey Administrative Code, regular police officers, upon the approval of both the chief law enforcement officer in their jurisdiction and the Director of the Division of Alcoholic Beverage Control, may be employed by establishments licensed to sell alcoholic beverages in municipalities and counties other than the one in which they are employed as police officers, provided that the position of employment is in a non-managerial capacity and does not involve the selling, serving, possessing or delivering of any alcoholic beverages.

If Assembly Bill No. 609 is enacted into law, permanent, full-time municipal police officers will be permitted to work in managerial positions and in positions which involve the selling, serving, possessing or delivering of alcoholic beverages for eligible establishments.

The Assembly committee at the sponsor's request amended the bill to prohibit a police officer from working more than 24 hours a week in any such establishment. In addition, that committee, at the sponsor's request, amended the bill to prohibit a police officer while selling, serving, possessing or delivering any alcoholic beverages from:

1. Having in his possession any firearm, or
2. Wearing or displaying any uniform, badge or insignia which would identify him as a police officer.

The Senate committee amended the bill, at the sponsor's request, to include county police officers within the bill's provisions.