

2A: 170-25.21 to 2A: 170-25.23

LEGISLATIVE HISTORY CHECKLIST

NJSA 2A:170-25.21 to 2A:170-25.23

Laws of 1977 Chapter 244 (Prohibit hard liquor in unlicensed restaurants)

Bill No. S1802

Sponsor(s) Merlino & Dumont

Date Introduced December 14, 1976

Committee: Assembly Judiciary, Law, Public Safety & Defense
Senate Law, Public Safety & Defense

Amended during passage Yes No

Date of passage: Assembly April 21, 1977
Senate January 24, 1977

Date of approval October 3, 1977

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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**SENATE, No. 1802****STATE OF NEW JERSEY**

INTRODUCED DECEMBER 14, 1976

By Senators MERLINO and DUMONT

Referred to Committee on Law, Public Safety and Defense

AN ACT relating to the consumption of specified alcoholic beverages in certain unlicensed premises and providing a penalty for violations thereof.

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

1 1. No person owning or operating any restaurant, dining room  
2 or other public place where food or liquid refreshments are sold  
3 or served to the general public, and for which premises a license  
4 or permit authorizing the sale of alcoholic beverages for on-  
5 premises consumption has not been issued:

6 a. Shall permit or allow the consumption of alcoholic beverages,  
7 other than wine or a malt alcoholic beverage, in a portion of the  
8 premises which is open to the public; or

9 b. Shall charge any admission fee or cover, corkage or service  
10 charge or advertise inside or outside of such premises that patrons  
11 may bring and consume their own wine or malt alcoholic beverages  
12 in a portion of the premises which is open to the public.

13 c. Shall permit or allow the consumption of wine or malt alcoholic  
14 beverages at times or by persons to whom the service or consump-  
15 tion of alcoholic beverages on licensed premises is prohibited by  
16 State or municipal law or regulation.

1 2. Nothing in this act shall restrict the right of a municipality  
2 or an owner or operator of a restaurant, dining room or other  
3 public place where food or liquid refreshments are sold or served  
4 to the general public from prohibiting the consumption of alcoholic  
5 beverages on **\*[the]\*** *\*such\** premises *\*referred to herein\**.

1 3. Any person violating any provision of this act is a disorderly  
2 person, and the court, in addition to such sentence as may be

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

3 imposed for the disorderly person violation, may by its judgment  
4 bar any owner or operator violating this act from permitting or  
5 allowing consumption of wine or malt alcoholic beverages in his  
6 premises as authorized by this act.

1 4. This act shall take effect immediately.

S 1802 (1977)

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STATEMENT

This bill would prohibit customers of restaurants, dining rooms or other food establishments open to the general public from bringing with them and consuming their own alcoholic beverages. The bill would not prohibit persons and organizations arranging for private parties in portions of unlicensed premises from making arrangements for provision of alcoholic beverages for those attending a private party.

REFERENCE USE ONLY

ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY  
AND DEFENSE COMMITTEE

STATEMENT TO

**SENATE, No. 1802**

with Assembly committee amendment

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**STATE OF NEW JERSEY**

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DATED: FEBRUARY 10, 1977

This bill would prohibit unlicensed restaurants, dining rooms or other food establishments open to the general public from allowing their customers to bring with them and consume their own alcoholic beverages except for wine and malt liquor.

The Assembly Judiciary, Law, Public Safety and Defense Committee amendment was for the purpose of grammatical clarification.