

33: 1-25

LEGISLATIVE HISTORY CHECKLIST

NJSA 33:1-25

Laws of 1975 Chapter 99

Bill No. S 808

Sponsor(s) Horn

Date Introduced Feb. 11, 1974

Committee: Assembly Commerce, Industry & Professions

Senate Law, Public Safety & Defense

Amended during passage Yes  Amendments during passage denoted by asterisks.

Date of passage: Assembly Dec. 19, 1974; re-enacted 4/24/75

Senate May 12, 1974; re-enacted 4/17/75

Date of approval May 21, 1975

Following statements are attached if available:

Sponsor statement Yes

Committee Statement: Assembly  No

Senate  No

Fiscal Note  No

Veto message Yes

Message on signing  No

Following were printed:

Reports  No

Hearings  No

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SENATE, No. 808

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5/21/75  
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STATE OF NEW JERSEY

INTRODUCED FEBRUARY 11, 1974

By Senator HORN

Referred to Committee on Law, Public Safety and Defense

AN ACT concerning alcoholic beverage control and amending R. S. 33:1-25.

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

1 1. R. S. 33:1-25 is amended to read as follows:

2 33:1-25. No license of any class shall be issued to any person  
3 under the age of 21 years or to any person who has been convicted  
4 of a crime involving moral turpitude.

5 In applications by corporations, except for club licenses, the  
6 names and addresses of, and the amount of stock held by, all stock-  
7 holders holding 1% or more of any of the stock thereof, and the  
8 names and addresses of all officers and of all members of the board  
9 of directors must be stated in the application, and if one or more  
10 of such officers or members of the board of directors or one or  
11 more of the owners, directly or indirectly, of more than 10% of  
12 such stock would fail to qualify as an individual applicant in all  
13 respects, no license of any class shall be granted.

14 In applications for club licenses, the names and addresses of all  
15 officers, trustees, directors, or other governing official, together  
16 with the names and addresses of all members of the corporation,  
17 association or organization must be stated in the application.

18 In applications by partnerships, the application shall contain the  
19 names and addresses of all of the partners. No license shall be  
20 issued unless all of the partners would qualify as individual  
21 applicants.

22 A photostatic copy of all Federal permits necessary to the lawful  
23 conduct of the business for which a State license is sought and  
24 which relate to alcoholic beverages, or other evidence in lieu  
25 thereof satisfactory to the director, must accompany the license  
26 application, together with a deposit of the full amount of the re-

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

27 quired license fee, which deposit to the extent of 90% thereof shall  
 28 be returned to the applicant by the director or other issuing au-  
 29 thority if the application is denied, and the remaining 10% shall  
 30 constitute an investigation fee and be accounted for as other license  
 31 fees.

32 Every applicant for a license *\*that is not a renewal of an annual*  
 33 *license\** shall cause a notice of the making of such application to be  
 34 published in a form prescribed by rules and regulations, once a week  
 35 for 2 weeks successively in a newspaper printed in the English  
 36 language, published and circulated in the municipality in which the  
 37 licensed premises are located: but if there shall be no such news-  
 38 paper, then such notice shall be published in a newspaper, printed  
 39 in the English language, published and circulated in the county in  
 40 which the licensed premises are located. No publication shall be re-  
 41 quired with respect to applications for transportation or public  
 42 warehouse licenses *or with respect to applications for renewal of*  
 43 *licenses \***[for a fourth or subsequent successive license period]**\**.

43A *\*The Division of Alcoholic Beverage Control shall cause a general*  
 43B *notice of the making of annual renewal applications and the manner*  
 43C *in which members of the public may object to the approving of such*  
 43D *applications to be published in a form prescribed by rules and*  
 43E *regulations, once a week from the week of April 1 through the week*  
 43F *of June 1 in a newspaper printed in the English language published*  
 43G *and circulated in the counties in which the premises of applicants*  
 43H *for renewals of annual licenses are located. Any application for*  
 43I *the renewal of an annual license shall be made by May 1, and none*  
 43J *shall be approved before May 1.\**

44 Every person filing an application for license, renewal of license  
 45 or transfer of license with a municipal issuing authority shall,  
 46 within 10 days of such filing, file with the director a copy of such  
 47 application together with a nonreturnable filing fee of \$25.00.

48 Applicants for licenses shall answer such questions as may be  
 49 asked and make such declarations as shall be required by the form  
 50 of application for license as may be promulgated by the director  
 51 from time to time. All applications shall be duly sworn to by each  
 52 of the applicants, except in the case of applicants in the military  
 53 service of the United States whose applications may be signed in  
 54 their behalf by an attorney-in-fact holding a power of attorney in  
 55 form approved by the director, and except in cases of applications  
 56 by corporations which shall be duly sworn to by the president or  
 57 vice-president. All statements in said applications required to be  
 58 made by law or by rules and regulations shall be deemed material,

59 and any person who shall knowingly misstate any material fact,  
60 under oath, in said application shall be guilty of a misdemeanor.  
61 Fraud, misrepresentation, false statements, misleading statements,  
62 evasions or suppression of material facts in the securing of a li-  
63 cense are grounds for suspension or revocation of the license.

1 2. This act shall take effect \***[immediately]**\* *\*on July 1, 1975\**.

LA... HELD

SENATE, No. 808

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 11, 1974

By Senator HORN

Referred to Committee on Law, Public Safety and Defense

AN ACT concerning alcoholic beverage control and amending R. S.  
33:1-25.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
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6 names and addresses of, and the amount of stock held by, all stock-  
7 holders holding 1% or more of any of the stock thereof, and the  
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10 of such officers or members of the board of directors or one or  
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20 issued unless all of the partners would qualify as individual  
21 applicants.

22 A photostatic copy of all Federal permits necessary to the lawful  
23 conduct of the business for which a State license is sought and  
24 which relate to alcoholic beverages, or other evidence in lieu  
25 thereof satisfactory to the director, must accompany the license  
26 application, together with a deposit of the full amount of the re-  
27 quired license fee, which deposit to the extent of 90% thereof shall

28 be returned to the applicant by the director or other issuing au-  
29 thority if the application is denied, and the remaining 10% shall  
30 constitute an investigation fee and be accounted for as other license  
31 fees.

32 Every applicant for a license shall cause a notice of the making  
33 of such application to be published in a form prescribed by rules  
34 and regulations, once a week for 2 weeks successively in a news-  
35 paper printed in the English language, published and circulated  
36 in the municipality in which the licensed premises are located: but  
37 if there shall be no such newspaper, then such notice shall be  
38 published in a newspaper, printed in the English language, pub-  
39 lished and circulated in the county in which the licensed premises  
40 are located. No publication shall be required with respect to appli-  
41 cations for transportation or public warehouse licenses *or with*  
42 *respect to applications for renewal of licenses for a fourth or sub-*  
43 *sequent successive license period.*

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45 or transfer of license with a municipal issuing authority shall,  
46 within 10 days of such filing, file with the director a copy of such  
47 application together with a nonreturnable filing fee of \$25.00.

48 Applicants for licenses shall answer such questions as may be  
49 asked and make such declarations as shall be required by the form  
50 of application for license as may be promulgated by the director  
51 from time to time. All applications shall be duly sworn to by each  
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60 under oath, in said application shall be guilty of a misdemeanor.  
61 Fraud, misrepresentation, false statements, misleading statements,  
62 evasions or suppression of material facts in the securing of a li-  
63 cense are grounds for suspension or revocation of the license.

1 2. This act shall take effect immediately.

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#### STATEMENT

This bill would eliminate the requirement for advertising the notice of an application to renew an alcoholic beverage license after the license has been received for 3 or more successive years or license periods.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

February 27, 1975

SENATE BILL NO. 808

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 808 with my objections for reconsideration.

This bill concerns alcoholic beverage control and amends Title 33 so as to eliminate the requirement that an applicant for renewal of an alcoholic beverage license must advertise an application for renewal in the municipality if the applicant has already held a license for three consecutive one-year periods.

This bill is really addressed to the burden placed upon applicants for the renewals of annual licenses by the required advertising. A more efficient and effective method of giving the public notice of renewal applications is to have the Division of Alcoholic Beverage Control publish a general notice of license renewals. When combined with a requirement that the renewal applications be received no later than May 1, this bill could provide the vehicle for a more systematic licensing process.

It should be noted that my objections contemplate an application for a new license, a transfer of a license or a seasonal license to continue to be advertised by the applicant, so that the public will continue to have knowledge and notice of the principals involved with any establishment serving alcoholic beverages.

Accordingly, I herewith return Senate Bill No. 808 with the following recommendations:

Page 2, Section 1, Line 32: After "License"

insert "that is not a renewal of an annual  
license"

Page 2, Section 1, Lines 42-43: Delete "for a

fourth or subsequent successive license period"

Page 2, Section 1, after Line 43 insert a new  
paragraph:

"The Division of Alcoholic Beverage Control

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

SENATE BILL NO. 808

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shall cause a general notice of the making of annual renewal applications and the manner in which members of the public may object to the approving of such applications to be published in a form prescribed by rules and regulations, once a week from the week of April 1 through the week of June 1 in a newspaper printed in the English language published and circulated in the counties in which the premises of applicants for renewals of annual licenses are located. Any application for the renewal of an annual license shall be made by May 1, and none shall be approved before May 1."

Page 2, Section 2, Line 1: Delete "immediately" and insert "on July 1, 1975"

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Respectfully,  
s/s Brendan T. Byrne  
GOVERNOR

[seal]

Attest:

/s/ Donald Lan

EXECUTIVE SECRETARY TO THE GOVERNOR