

33; 1-20

February 4, 1971

LEGISLATIVE HISTORY OF R.S. 33:1-20  
(Liquor license - Fee, state)

L. 1970, Chapter 77 - A953  
Introduced April 23 by Parker and Friedland.  
Not amended during passage.  
No statement.

No clippings located at:

V.F.--N.J.--Liquor laws (1970).

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ASSEMBLY, No. 953

STATE OF NEW JERSEY

INTRODUCED APRIL 23, 1970

By Assemblymen PARKER and FRIEDLAND

Referred to Committee on Taxation

AN ACT concerning alcoholic beverages and amending R. S. 33:1-20,  
R. S. 33:1-25 and R. S. 33:1-34.

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

1 1. R. S. 33:1-20 is amended to read as follows:

2 33:1-20. No license *other than a club license* shall be issued  
3 under this chapter by any issuing authority to any member thereof  
4 or to any corporation, organization or association in which any  
5 member thereof is interested directly or indirectly; but in any  
6 such case application for such license may be made by such member,  
7 corporation, organization or association directly to the **com-**  
8 **missioner** *director* who is hereby authorized to issue such license,  
9 subject to rules and regulations, upon the same terms and con-  
10 ditions and for the same fee as other licenses of the same class are  
11 issued or are issuable by the said governing board or body. In  
12 addition to the fee for such license, which shall be payable to the  
13 municipality, a fee of **[\$10.00]** *\$35.00* shall be payable to the **com-**  
14 **missioner** *director* to be accounted for by him as are license fees.

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

2 33:1-25. No retail license shall be issued to a natural person  
3 unless he is a citizen of the United States and a resident of the  
4 State of New Jersey at the time of the submission of the applica-  
5 tion. No license of any class shall be issued to any individual who  
6 is an alien; to any person under the age of 21 years; to any person  
7 who has been convicted of a crime involving moral turpitude.  
8 Cessation of United States citizenship or New Jersey residence  
9 shall be cause for the suspension or revocation of the license.

10 No retail license shall be issued to any corporation, except for  
11 premises operated as a bona fide hotel, or for a business conducted  
12 or to be conducted by the corporation, as a tenant, at any airport

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

13 owned or operated by the Federal, State, county or municipal  
14 government, unless each owner, directly or indirectly, of more than  
15 10% of its stock qualifies in all respects as an individual applicant;  
16 provided, however, that retail licenses in effect on July 4, 1935,  
17 and since renewed each year, issued to corporations comprising  
18 stockholders who would have failed to qualify as individual appli-  
19 cants, may be renewed as heretofore.

20 In applications by corporations, except for club licenses, the  
21 names and addresses of, and the amount of stock held by, all stock-  
22 holders holding 1% or more of any of the stock thereof, and the  
23 names and addresses of all officers and of all members of the board  
24 of directors must be stated in the application, and if one or more  
25 of such officers or members of the board of directors would fail to  
26 qualify as an individual applicant in all respects, except as to  
27 citizenship, residence or age, no license of any class shall be granted.

28 In applications for club licenses, the names and addresses of all  
29 officers, trustees, directors, or other governing official, together with  
30 the names and addresses of all members of the corporation, as-  
31 sociation or organization must be stated in the application.

32 In applications by partnerships, the application shall contain  
33 the names and addresses of all of the partners. No license shall be  
34 issued unless all of the partners would qualify as individual  
35 applicants.

36 A photostatic copy of all Federal permits necessary to the lawful  
37 conduct of the business for which a State license is sought and  
38 which relate to alcoholic beverages, or other evidence in lieu thereof  
39 satisfactory to the [commissioner] *director*, must accompany the  
40 license application, together with a deposit of the full amount of  
41 the required license fee, which deposit to the extent of 90% thereof  
42 shall be returned to the applicant by the [commissioner] *director*  
43 or other issuing authority if the application is denied, and the re-  
44 maining 10% shall constitute an investigation fee and be accounted  
45 for as other license fees.

46 Every applicant for a license shall cause a notice of the making  
47 of such application to be published in a form prescribed by rules  
48 and regulations, once a week for 2 weeks successively in a news-  
49 paper, printed in the English language, published and circulated  
50 in the municipality in which the licensed premises are located; but  
51 if there shall be no such newspaper, then such notice shall be  
52 published in a newspaper, printed in the English language, pub-  
53 lished and circulated in the county in which the licensed premises  
54 are located. No publication shall be required with respect to appli-  
55 cations for transportation or public warehouse licenses.

56 *Every person filing an application for license, renewal of license*  
57 *or transfer of license with a municipal issuing authority shall,*  
58 *within 10 days of such filing, file with the director a copy of such*  
59 *application together with a nonreturnable filing fee of \$25.00.*

60 Applicants for licenses shall answer such questions as may be  
61 asked and make such declarations as shall be required by the form  
62 of application for license as may be promulgated by the [commis-  
63 sioner] *director* from time to time. All applications shall be duly  
64 sworn to by each of the applicants, except in the case of applicants  
65 in the military service of the United States whose applications may  
66 be signed in their behalf by an attorney-in-fact holding a power  
67 of attorney in form approved by the [commissioner] *director*, and  
68 except in cases of applications by corporations which shall be duly  
69 sworn to by the president or vice-president. All statements in  
70 said applications required to be made by law or by rules and  
71 regulations shall be deemed material, and any person who shall  
72 knowingly misstate any material fact, under oath, in said applica-  
73 tion shall be guilty of a misdemeanor. Fraud, misrepresentation,  
74 false statements, misleading statements, evasions or suppression  
75 of material facts in the securing of a license are grounds for sus-  
76 pension or revocation of the license.

1 3. R. S. 33:1-34 is amended to read as follows:

2 33:1-34. Whenever any change shall occur in the facts as set  
3 forth in any application for license, the licensee shall file with the  
4 [commissioner or] *director and the other issuing authority, [as*  
5 *the case may be] where applicable, a notice in writing of such*  
6 *change within 10 days after the occurrence thereof; said change,*  
7 *when so notified, shall thereupon become part of said application*  
8 *for license to the end that subsequent changes must likewise be so*  
9 *notified; but no notice need be given by corporate licensees of*  
10 *changes in stockholdings therein unless and until the aggregate of*  
11 *such changes, if made before the time of said application, would*  
12 *have prevented the issuance of the license.*

1 4. This act shall take effect immediately.

FISCAL NOTE TO  
**ASSEMBLY, No. 953**

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**STATE OF NEW JERSEY**

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DATED: MAY 4, 1970

Assembly Bill No. 953 requires every person filing an application for a retail alcoholic beverage license, renewal of license or transfer of license with a municipal issuing authority, to file within 10 days of filing, with the Director of Alcoholic Beverage Control a copy of such application, together with a non-returnable filing fee of \$25.00.

The Division of Budget and Accounting estimates that enactment of this legislation would increase the revenues of the State by \$307,500.00 in each of the next two fiscal years.

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In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.