

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: Yes

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government
Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

RH/CL

P.L. 2020, CHAPTER 146, *approved December 30, 2020*
Assembly, No. 4589

1 AN ACT concerning the sale of alcoholic beverages by seasonal
2 retail consumption license holders.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. Notwithstanding the summer season time period established
8 pursuant to subsection 2 of R.S.33:1-12, the holder of a summer
9 seasonal retail consumption license may sell alcoholic beverages in
10 accordance with the provisions of R.S.33:1-12 from May 1, 2020
11 until January 14, 2022.

12

13 2. This act shall take effect immediately and shall expire on
14 January 14, 2022.

15

16

17

STATEMENT

18

19 This bill temporarily extends until January 14, 2022 the time
20 period during which the holder of a summer seasonal retail
21 consumption license may sell alcoholic beverages.

22

23 Under current law, the holder of a seasonal retail consumption
24 license is allowed to sell alcoholic beverages for consumption on
25 the licensed premises by the glass or other open receptacle similar
26 to the holder of a plenary retail consumption license, but only
27 during a summer or winter season. The summer seasonal license
28 allows for the sale of alcoholic beverages from May 1 through
29 November 14.

30

31 The COVID-19 pandemic has prohibited bars and restaurants
32 from serving alcoholic beverages for consumption on the licensed
33 premises. This bill allows holders of summer seasonal retail
34 consumption licenses to sell alcoholic beverages from the date of
35 the bill's enactment until January 14, 2022 in order to allow these
36 business owners to recoup any income lost during the pandemic.

37

38

39

40

41

Extends time period during which seasonal retail consumption
license holders may sell alcoholic beverages following COVID-19
pandemic.

ASSEMBLY, No. 4589

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED AUGUST 25, 2020

Sponsored by:

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Assemblyman JOE DANIELSEN

District 17 (Middlesex and Somerset)

Assemblyman ROY FREIMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblyman WAYNE P. DEANGELO

District 14 (Mercer and Middlesex)

Senator VIN GOPAL

District 11 (Monmouth)

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Co-Sponsored by:

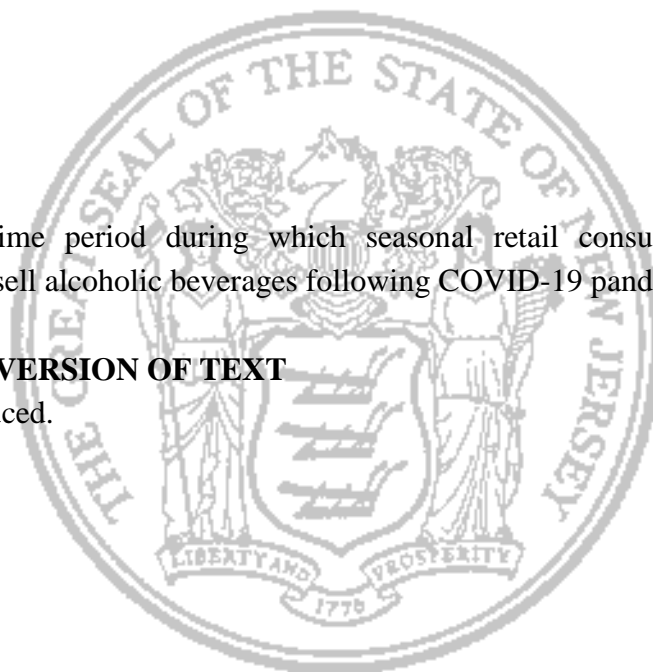
Assemblywomen Vainieri Huttler, Quijano, Assemblyman Dancer, Assemblywoman Murphy, Assemblymen Greenwald, Houghtaling, Assemblywoman Downey, Assemblymen Holley, Mazzeo, Assemblywoman DiMaso, Senators Pou and Scutari

SYNOPSIS

Extends time period during which seasonal retail consumption license holders may sell alcoholic beverages following COVID-19 pandemic.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/16/2020)

1 AN ACT concerning the sale of alcoholic beverages by seasonal
2 retail consumption license holders.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. Notwithstanding the summer season time period established
8 pursuant to subsection 2 of R.S.33:1-12, the holder of a summer
9 seasonal retail consumption license may sell alcoholic beverages in
10 accordance with the provisions of R.S.33:1-12 from May 1, 2020
11 until January 14, 2022.

12

13 2. This act shall take effect immediately and shall expire on
14 January 14, 2022.

15

16

17

STATEMENT

18

19 This bill temporarily extends until January 14, 2022 the time
20 period during which the holder of a summer seasonal retail
21 consumption license may sell alcoholic beverages.

22 Under current law, the holder of a seasonal retail consumption
23 license is allowed to sell alcoholic beverages for consumption on
24 the licensed premises by the glass or other open receptacle similar
25 to the holder of a plenary retail consumption license, but only
26 during a summer or winter season. The summer seasonal license
27 allows for the sale of alcoholic beverages from May 1 through
28 November 14.

29 The COVID-19 pandemic has prohibited bars and restaurants
30 from serving alcoholic beverages for consumption on the licensed
31 premises. This bill allows holders of summer seasonal retail
32 consumption licenses to sell alcoholic beverages from the date of
33 the bill's enactment until January 14, 2022 in order to allow these
34 business owners to recoup any income lost during the pandemic.

ASSEMBLY OVERSIGHT, REFORM AND FEDERAL
RELATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4589

STATE OF NEW JERSEY

DATED: OCTOBER 8, 2020

The Assembly Oversight, Reform and Federal Relations Committee reports favorably Assembly Bill No. 4589.

This bill temporarily extends until January 14, 2022 the time period during which the holder of a summer seasonal retail consumption license may sell alcoholic beverages.

Under current law, the holder of a seasonal retail consumption license is allowed to sell alcoholic beverages for consumption on the licensed premises by the glass or other open receptacle similar to the holder of a plenary retail consumption license, but only during a summer or winter season. The summer seasonal license allows for the sale of alcoholic beverages from May 1 through November 14.

The COVID-19 pandemic has prohibited bars and restaurants from serving alcoholic beverages for consumption on the licensed premises. This bill allows holders of summer seasonal retail consumption licenses to sell alcoholic beverages from the date of the bill's enactment until January 14, 2022 in order to allow these business owners to recoup any income lost during the pandemic.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4589

STATE OF NEW JERSEY

DATED: OCTOBER 26, 2020

The Assembly Appropriations Committee reports favorably Assembly Bill No. 4589.

This bill temporarily extends until January 14, 2022 the time period during which the holder of a summer seasonal retail consumption license may sell alcoholic beverages.

Under current law, the holder of a seasonal retail consumption license is allowed to sell alcoholic beverages for consumption on the licensed premises by the glass or other open receptacle similar to the holder of a plenary retail consumption license, but only during a summer or winter season. The summer seasonal license allows for the sale of alcoholic beverages from May 1 through November 14.

The COVID-19 pandemic has prohibited bars and restaurants from serving alcoholic beverages for consumption on the licensed premises. This bill allows holders of summer seasonal retail consumption licenses to sell alcoholic beverages from the date of the bill's enactment until January 14, 2022 in order to allow these business owners to recoup any income lost during the pandemic.

FISCAL IMPACT:

The OLS finds that the bill will result in temporary, indeterminate increases in State revenues and expenditures as the bill extends the time period during which seasonal retail consumption license holders may sell alcoholic beverages through January 14, 2022. The extent of the potential revenue collected during the extension period from sales tax on products sold is not known nor is the potential expenditure increase for any additional regulation and enforcement. The OLS also notes the bill may temporarily increase municipal expenditures due to increased costs for regulation and enforcement of the extended permits.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 4589
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: OCTOBER 29, 2020

SUMMARY

Synopsis: Extends time period during which seasonal retail consumption license holders may sell alcoholic beverages following COVID-19 pandemic.

Type of Impact: Temporary State Revenue and Expenditure Increase.
Temporary Local Expenditure Increase.

Agencies Affected: Department of Law and Public Safety; Department of the Treasury; Municipal Governments

Office of Legislative Services Estimate

Temporary Fiscal Impact	
State Revenue Increase	Indeterminate
State Expenditure Increase	Indeterminate
Local Expenditure Increase	Indeterminate

- The Office of Legislative Services (OLS) finds the bill will result in temporary, indeterminate increases in State revenues and expenditures due to the extension of the time period during which seasonal retail consumption license holders may sell alcoholic beverages through January 14, 2022. The extent of the potential revenue collected during the extension period from sales tax on products sold is not known nor is the potential expenditure increase for any additional administrative tasks, regulation, and enforcement that may be necessary.
- The bill may also increase municipal expenditures due to increased costs to municipalities for enforcement during the additional days the licensees may operate.

BILL DESCRIPTION

This bill temporarily extends until January 14, 2022 the time period during which the holder of a summer seasonal retail consumption license may sell alcoholic beverages.

Under current law, the holder of a seasonal retail consumption license is allowed to sell alcoholic beverages for consumption on the licensed premises by the glass or other open receptacle similar to the holder of a plenary retail consumption license, but only during a summer or winter

season. The summer seasonal license allows for the sale of alcoholic beverages from May 1 through November 14.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds the bill will result in temporary, indeterminate increases in State revenues and expenditures due to the extension of the time period during which seasonal retail consumption license holders may sell alcoholic beverages through January 14, 2022. The extent of the potential revenue collected during the extension period from sales tax on products sold is not known nor is the potential expenditure increase for any additional administrative tasks, regulation, and enforcement that may be necessary. The bill may also increase municipal expenditures due to increased costs to municipalities for regulation and enforcement during the additional days the licensees may operate.

State Revenue Increase: The OLS anticipates there will be an increase in State revenue collections during the extension period from sales by seasonal retail consumption licensees with additional time to sell their products, thus increasing the amount of State sales tax collected during this extended COVID time period.

As of May 2015, it was reported that there were seven establishments holding active seasonal retail consumption licenses. Although the statute also authorizes a winter season license from November 15 to April 30, no such license has been issued in the State.

State Expenditure Increase: The bill may increase the workload of the Division of Alcoholic Beverage Control, in the Department of Law and Public Safety, depending on the oversight and regulation required by the division.

Municipal Expenditure Increase: The bill may increase municipal expenditures due to increased costs to municipalities for regulation and enforcement of the extended permits.

Additionally, it appears that the establishments holding seasonal retail consumption licenses are located in shore towns. The OLS notes that many of these municipalities may employ additional seasonal law enforcement only during the summer time period. The extension of the seasonal retail consumption licenses may increase the cost of public safety, as there may be increased need for enforcement of alcoholic beverage statutes and ordinances.

Section: Law and Public Safety

*Analyst: Kristin Brunner Santos
Senior Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE, No. 2597

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JUNE 22, 2020

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Co-Sponsored by:

Senators Pou and Scutari

SYNOPSIS

Extends time period during which seasonal retail consumption license holders may sell alcoholic beverages following COVID-19 pandemic.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/16/2020)

1 AN ACT concerning the sale of alcoholic beverages by seasonal
2 retail consumption license holders.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Notwithstanding the summer season time period established
8 pursuant to subsection 2 of R.S.33:1-12, the holder of a summer
9 seasonal retail consumption license may sell alcoholic beverages in
10 accordance with the provisions of R.S.33:1-12 from May 1, 2020
11 until January 14, 2022.

12

13 2. This act shall take effect immediately and shall expire on
14 January 14, 2022.

15

16

17

STATEMENT

18

19 This bill temporarily extends until January 14, 2022 the time
20 period during which the holder of a summer seasonal retail
21 consumption license may sell alcoholic beverages.

22

23 Under current law, the holder of a seasonal retail consumption
24 license is allowed to sell alcoholic beverages for consumption on
25 the licensed premises by the glass or other open receptacle similar
26 to the holder of a plenary retail consumption license, but only
27 during a summer or winter season. The summer seasonal license
28 allows for the sale of alcoholic beverages from May 1 through
29 November 14.

30

31 The COVID-19 pandemic has prohibited bars and restaurants
32 from serving alcoholic beverages for consumption on the licensed
33 premises. This bill allows holders of summer seasonal retail
34 consumption licenses to sell alcoholic beverages from the date of
the bill's enactment until January 14, 2022 in order to allow these
business owners to recoup any income lost during the pandemic.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 2597

STATE OF NEW JERSEY

DATED: SEPTEMBER 21, 2020

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 2597.

As reported by the committee, this bill temporarily permits the holder of a summer seasonal retail consumption license to sell alcoholic beverages year round from May 1, 2020 through January 14, 2022.

Current law permits the holder of a seasonal retail consumption license to sell alcoholic beverages for consumption on the licensed premises by the glass or other open receptacle similar to the holder of a plenary retail consumption license, but only during a summer or winter season. The summer seasonal license allows for the sale of alcoholic beverages from May 1 through November 14.

The bill temporarily lifts the date restrictions on the summer seasonal license, effectively permitting holders of summer seasonal licenses to also sell alcoholic beverages during the non-summer season until January 14, 2022. According to the sponsor, temporarily removing the seasonal restrictions will allow these licensees to recoup some of the losses incurred from mandatory restaurant and bar closures during the COVID-19 pandemic.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 2597

STATE OF NEW JERSEY

DATED: NOVEMBER 9, 2020

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2597.

This bill temporarily permits the holder of a summer seasonal retail consumption license to sell alcoholic beverages year round from May 1, 2020 through January 14, 2022.

Current law permits the holder of a seasonal retail consumption license to sell alcoholic beverages for consumption on the licensed premises by the glass or other open receptacle similar to the holder of a plenary retail consumption license, but only during a summer or winter season. The summer seasonal license allows for the sale of alcoholic beverages from May 1 through November 14.

The bill temporarily lifts the date restrictions on the summer seasonal license, effectively permitting holders of summer seasonal licenses to also sell alcoholic beverages during the non-summer season until January 14, 2022. According to the sponsor, temporarily removing the seasonal restrictions will allow these licensees to recoup some of the losses incurred from mandatory restaurant and bar closures during the COVID-19 pandemic.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds the bill will result in temporary, indeterminate increases in State revenues and expenditures due to the extension of the time period during which seasonal retail consumption license holders may sell alcoholic beverages through January 14, 2022. The extent of the potential revenue collected during the extension period from sales tax on products sold is not known, nor is the potential expenditure increase for any additional administrative tasks, regulation, and enforcement that may be necessary.

The bill may also increase municipal expenditures due to increased costs to municipalities for enforcement during the additional days the licensees may operate.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 2597
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: NOVEMBER 4, 2020

SUMMARY

Synopsis: Extends time period during which seasonal retail consumption license holders may sell alcoholic beverages following COVID-19 pandemic.

Type of Impact: Temporary State Revenue and Expenditure Increase.
Temporary Local Expenditure Increase.

Agencies Affected: Department of Law and Public Safety; Department of the Treasury; Municipal Governments

Office of Legislative Services Estimate

Temporary Fiscal Impact	
State Revenue Increase	Indeterminate
State Expenditure Increase	Indeterminate
Local Expenditure Increase	Indeterminate

- The Office of Legislative Services (OLS) finds the bill will result in temporary, indeterminate increases in State revenues and expenditures due to the extension of the time period during which seasonal retail consumption license holders may sell alcoholic beverages through January 14, 2022. The extent of the potential revenue collected during the extension period from sales tax on products sold is not known, nor is the potential expenditure increase for any additional administrative tasks, regulation, and enforcement that may be necessary.
- The bill may also increase municipal expenditures due to increased costs to municipalities for enforcement during the additional days the licensees may operate.

BILL DESCRIPTION

This bill temporarily extends until January 14, 2022 the time period during which the holder of a summer seasonal retail consumption license may sell alcoholic beverages.

Under current law, the holder of a seasonal retail consumption license is allowed to sell alcoholic beverages for consumption on the licensed premises by the glass or other open receptacle

similar to the holder of a plenary retail consumption license, but only during a summer or winter season. The summer seasonal license allows for the sale of alcoholic beverages from May 1 through November 14.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds the bill will result in temporary, indeterminate increases in State revenues and expenditures due to the extension of the time period during which seasonal retail consumption license holders may sell alcoholic beverages through January 14, 2022. The extent of the potential revenue collected during the extension period from sales tax on products sold is not known nor is the potential expenditure increase for any additional administrative tasks, regulation, and enforcement that may be necessary. The bill may also increase municipal expenditures due to increased costs to municipalities for regulation and enforcement during the additional days the licensees may operate.

State Revenue Increase: The OLS anticipates there will be an increase in State revenue collections during the extension period from sales by seasonal retail consumption licensees with additional time to sell their products, thus increasing the amount of State sales tax collected during this extended COVID time period.

As of May 2015, it was reported that there were seven establishments holding active seasonal retail consumption licenses. Although the statute also authorizes a winter season license from November 15 to April 30, no such license has been issued in the State.

State Expenditure Increase: The bill may increase the workload of the Division of Alcoholic Beverage Control, in the Department of Law and Public Safety, depending on the oversight and regulation required by the division.

Municipal Expenditure Increase: The bill may increase municipal expenditures due to increased costs to municipalities for regulation and enforcement of the extended permits.

Additionally, it appears that the establishments holding seasonal retail consumption licenses are located in shore towns. The OLS notes that many of these municipalities may employ additional seasonal law enforcement only during the summer time period. The extension of the seasonal retail consumption licenses may increase the cost of public safety, as there may be increased need for enforcement of alcoholic beverage statutes and ordinances.

Section: Law and Public Safety

*Analyst: Kristin Brunner Santos
Senior Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

Governor Murphy Takes Action on Legislation

12/30/2020

TRENTON – Governor Phil Murphy today signed the following bill into law:

A-4589/S-2597 (Lopez, Daniels, Freiman, DeAngelo/Gopal, Vitale) – Extends time period during which seasonal retail consumption license holders may sell alcoholic beverages following COVID-19 pandemic