

# 33:1-12.20

## LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

**LAWS OF:** 2009               **CHAPTER:** 83  
**NJSA:** 33:1-12.20       (Caps bids municipalities may require for certain hotel liquor licenses)  
**BILL NO:** A2896           (Substituted for S1968)  
**SPONSOR(S)** Cryan  
**DATE INTRODUCED:** June 5, 2008  
**COMMITTEE:**       **ASSEMBLY:** Law and Public Safety  
                             **SENATE:** Law and Public Safety and Veterans' Affairs  
**AMENDED DURING PASSAGE:** Yes  
**DATE OF PASSAGE:**       **ASSEMBLY:** June 25, 2009  
   **SENATE:** May 21, 2009  
**DATE OF APPROVAL:** July 2, 2009

### FOLLOWING ARE ATTACHED IF AVAILABLE:

#### FINAL TEXT OF BILL (First reprint enacted)

##### A2896

**SPONSOR'S STATEMENT:** (Begins on page 2 of original bill) Yes

**COMMITTEE STATEMENT:**               **ASSEMBLY:** Yes

**SENATE:** Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

##### S1968

**SPONSOR'S STATEMENT:** (Begins on page 2 of original bill) Yes

**COMMITTEE STATEMENT:**               **ASSEMBLY:** No

**SENATE:** Yes

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

(continued)

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

**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

LAW/IS 1/4/10

1 AN ACT concerning the issuance of plenary retail consumption  
2 licenses to certain hotels and motels and amending P.L.1947,  
3 c.94.

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

7  
8 1. Section 8 of P.L.1947, c.94 (C.33:1-12.20) is amended to  
9 read as follows:

10 8. a. Nothing in this act shall prevent the issuance, in a  
11 municipality, of a new license to a person who operates a hotel or  
12 motel containing 100 guest sleeping rooms or who may hereafter  
13 construct and establish a new hotel or motel containing at least 100  
14 guest sleeping rooms.

15 b. A person who holds a license issued pursuant to subsection  
16 a. of this section and who has been required by law to reduce the  
17 number of sleeping rooms in the hotel may continue to hold the  
18 license if the hotel has at least 75 sleeping rooms, has been in  
19 continuous operation for at least 120 years in the same building, and  
20 is listed in the National Register of Historic Places.

21 c. <sup>1</sup>(1) <sup>1</sup>After the effective date of P.L.           , c.            (pending before  
22 the Legislature as this bill), <sup>1</sup>**[no]** a <sup>1</sup>minimum bid <sup>1</sup>**[shall]** not to  
23 exceed \$25,000 plus \$50 per sleeping room may <sup>1</sup>be required for  
24 the issuance of a license pursuant to the provisions of this section if  
25 the dining facilities of the hotel or motel are regularly and  
26 principally used to provide only meals for catered events and  
27 breakfast for guests of the hotel or motel.

28 <sup>1</sup>(2) This subsection shall not be construed to prohibit a  
29 municipality from requiring a minimum bid for any license issued  
30 under the provisions of this section to a hotel or motel that does not  
31 meet the criteria set forth in paragraph (1) of this subsection.<sup>1</sup>

32 (cf: P.L.2000, c.160, s.1)

33  
34 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 underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

**<sup>1</sup>Senate SLP committee amendments adopted May 4, 2009.**

1 AN ACT concerning the issuance of plenary retail consumption  
2 licenses to certain hotels and motels and amending P.L.1947,  
3 c.94.

4

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

7

8 1. Section 8 of P.L.1947, c.94 (C.33:1-12.20) is amended to  
9 read as follows:

10 8. a. Nothing in this act shall prevent the issuance, in a  
11 municipality, of a new license to a person who operates a hotel or  
12 motel containing 100 guest sleeping rooms or who may hereafter  
13 construct and establish a new hotel or motel containing at least 100  
14 guest sleeping rooms.

15 b. A person who holds a license issued pursuant to subsection  
16 a. of this section and who has been required by law to reduce the  
17 number of sleeping rooms in the hotel may continue to hold the  
18 license if the hotel has at least 75 sleeping rooms, has been in  
19 continuous operation for at least 120 years in the same building, and  
20 is listed in the National Register of Historic Places.

21 c. After the effective date of P.L. , c. (pending before the  
22 Legislature as this bill), no minimum bid shall be required for the  
23 issuance of a license pursuant to the provisions of this section if the  
24 dining facilities of the hotel or motel are regularly and principally  
25 used to provide only meals for catered events and breakfast for  
26 guests of the hotel or motel.

27 (cf: P.L.2000, c.160, s.1)

28

29 2. This act shall take effect immediately.

30

31

32 SPONSOR'S STATEMENT

33

34 Under current law, a municipality may issue a new plenary retail  
35 consumption license to a person who operates a hotel or motel  
36 containing 100 guest sleeping rooms. Under the provisions of this  
37 bill, a municipality would be prohibited from requiring a minimum  
38 bid for the issuance of the license if the dining facilities of the hotel  
39 or motel are used to provide only breakfast for guests and meals for  
40 catered or special events.

**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 underlined thus is new matter.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2896**

**STATE OF NEW JERSEY**

DATED: JUNE 5, 2008

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 2896.

Assembly Bill No. 2896 prohibits municipalities from imposing a minimum bid for a new hotel liquor license under certain circumstances.

Under current law, a municipality may issue a new plenary retail consumption license to a person who operates a hotel or motel containing 100 guest sleeping rooms.

Under the provisions of this bill, a municipality would be prohibited from requiring a minimum bid for the issuance of the license if the dining facilities of the hotel or motel are used to provide only breakfast for guests and meals for catered or special events.

SENATE LAW AND PUBLIC SAFETY AND VETERANS'  
AFFAIRS COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2896**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 4, 2009

The Senate Law and Public Safety and Veterans' Affairs Committee reports favorably and with committee amendments Assembly Bill No. 2896.

Under current law, a municipality may issue a new plenary retail consumption license to a person who operates a hotel or motel containing 100 guest sleeping rooms. As amended and reported by the committee, this bill prohibits a municipality from requiring a minimum bid of more than \$25,000 plus \$50 per sleeping room for the issuance of the license if the dining facilities of the hotel or motel are regularly and principally used to provide only meals for catered events and breakfast for guests of the hotel or motel. Current law is silent as to whether a municipality may require a minimum bid for this license. In recent years, however, some municipalities have begun requiring a minimum bid and at least one State court has sanctioned the practice.

The amended bill also clarifies that its provisions are not to be construed to prohibit a municipality from requiring a minimum bid for the issuance of a license to a hotel or motel that uses its dining facilities for purposes other than the provision of meals for catered events and breakfast for guests.

As amended and reported by the committee, this bill is identical to Senate Bill No. 1968, which also was amended and reported by the committee on this same date.

1 AN ACT concerning the issuance of plenary retail consumption  
2 licenses to certain hotels and motels and amending P.L.1947,  
3 c.94.

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

7  
8 1. Section 8 of P.L.1947, c.94 (C.33:1-12.20) is amended to  
9 read as follows:

10 8. a. Nothing in this act shall prevent the issuance, in a  
11 municipality, of a new license to a person who operates a hotel or  
12 motel containing 100 guest sleeping rooms or who may hereafter  
13 construct and establish a new hotel or motel containing at least 100  
14 guest sleeping rooms.

15 b. A person who holds a license issued pursuant to subsection  
16 a. of this section and who has been required by law to reduce the  
17 number of sleeping rooms in the hotel may continue to hold the  
18 license if the hotel has at least 75 sleeping rooms, has been in  
19 continuous operation for at least 120 years in the same building, and  
20 is listed in the National Register of Historic Places.

21 c. After the effective date of P.L. \_\_\_\_\_, c. (pending before the  
22 Legislature as this bill), no minimum bid shall be required for the  
23 issuance of a license pursuant to the provisions of this section if the  
24 dining facilities of the hotel or motel are regularly and principally  
25 used to provide only meals for catered events and breakfast for  
26 guests of the hotel or motel.

27 (cf: P.L.2000, c.160, s.1)

28  
29 2. This act shall take effect immediately.

30  
31  
32 SPONSOR'S STATEMENT

33  
34 Under current law, a municipality may issue a new plenary retail  
35 consumption license to a person who operates a hotel or motel  
36 containing 100 guest sleeping rooms. Under the provisions of this  
37 bill, a municipality would be prohibited from requiring a minimum  
38 bid for the issuance of the license if the dining facilities of the hotel  
39 or motel are used to provide only breakfast for guests and meals for  
40 catered or special events.

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 underlined thus is new matter.

SENATE LAW AND PUBLIC SAFETY AND VETERANS'  
AFFAIRS COMMITTEE

STATEMENT TO

**SENATE, No. 1968**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 4, 2009

The Senate Law and Public Safety and Veterans' Affairs Committee reports favorably and with committee amendments Senate Bill No. 1968.

Under current law, a municipality may issue a new plenary retail consumption license to a person who operates a hotel or motel containing 100 guest sleeping rooms. As amended and reported by the committee, this bill prohibits a municipality from requiring a minimum bid of more than \$25,000 plus \$50 per sleeping room for the issuance of the license if the dining facilities of the hotel or motel are regularly and principally used to provide only meals for catered events and breakfast for guests of the hotel or motel. Current law is silent as to whether a municipality may require a minimum bid for this license. In recent years, however, some municipalities have begun requiring a minimum bid and at least one State court has sanctioned the practice.

The amended bill also clarifies that its provisions are not to be construed to prohibit a municipality from requiring a minimum bid for the issuance of a license to a hotel or motel that uses its dining facilities for purposes other than the provision of meals for catered events and breakfast for guests.

As amended and reported by the committee, this bill is identical to Assembly Bill No. 2896, which also was amended and reported by the committee on this same date.