

5:12-97

**LEGISLATIVE HISTORY CHECKLIST**  
Compiled by the NJ State Law Library

(Casinos--24 hour operation)

NJSA: 5:12-97

LAWS OF: 1992 CHAPTER: 36

BILL NO: A1419

SPONSOR(S): Lustbader and others

DATE INTRODUCED: May 14, 1992

COMMITTEE: ASSEMBLY: Financial Institutions  
SENATE: ---

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: June 11, 1992  
SENATE: June 18, 1992

DATE OF APPROVAL: June 30, 1992

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes  
SENATE: No

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

1 AN ACT concerning the hours of operation of casinos and  
2 amending P.L.1977, c.110.

3

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

6 1. Section 97 of P.L.1977, c.110 (C.5:12-97) is amended to  
7 read as follows:

8 97. Hours of Operation. a. No casino licensed pursuant to this  
9 act shall operate between the hours of 6 a.m. and 10 a.m. on  
10 Saturdays, Sundays and State and federal holidays, or between the  
11 hours of 4 a.m. and 10 a.m. on all other days, except that [for a  
12 period of three years following the effective date of this  
13 amendatory and supplementary act, P.L.1991, c.182,] the  
14 commission may extend the hours of operation, up to and  
15 including 24 hours of operation, on any Saturday, Sunday, or State  
16 or federal holiday, or on any day [on which the commission  
17 determines that there is an event to be held in a casino or in  
18 Atlantic City that will have a substantial citywide impact with  
19 respect to the number of visitors to the city and will] that an  
20 extension of operating hours would, in the judgment of the  
21 commission, have an economic impact on the casino industry and  
22 on Atlantic City which would justify the extension of those  
23 hours. In making this finding, the commission shall consider,  
24 among other factors: (1) the anticipated volume of visitor,  
25 convention, or tourist traffic in Atlantic City as a result of any  
26 scheduled meetings or events; (2) any special promotions or  
27 market expansion programs undertaken by the casino industry or  
28 others to increase such traffic; or (3) any other basis for the  
29 conclusion that an extension of operating hours would, under the  
30 circumstances, effect a significant impact on the volume of  
31 casino business and thereby on the State revenues dependent  
32 thereupon. Any resolution approving an extension of operating  
33 hours shall be considered at a regularly scheduled meeting of the  
34 commission held pursuant to the "Open Public Meetings Act,"  
35 P.L.1975, c.231 (C.10:4-6 et seq.).

36 b. A casino licensee shall file with the commission a schedule  
37 of hours prior to the issuance of an initial operation certificate.  
38 If the casino licensee proposes any change in scheduled hours,  
39 such change may not be effected until such licensee files a notice  
40 of the new schedule of hours with the commission. Such filing  
41 must be made 30 days prior to the effective date of the proposed  
42 change in hours.

43 c. Nothing herein shall be construed to limit a casino licensee  
44 in opening its casino later than, or closing its casino earlier than,  
45 the times stated in its schedule of operating hours; provided,

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.

49

50

51

52 Provides guidelines for Casino Control Commission in making  
53 decisions on authorizing 24-hour gambling on days other than  
54 Saturday, Sunday, or a holiday.

1 however, that any such alterations in its hours shall comply with  
2 the provisions of subsection a. of this section and with regulations  
3 of the commission pertaining to such alterations.

4 (cf: P.L.1991, c.182, s.35)

5 2. This act shall take effect immediately.

6  
7  
8 **STATEMENT**

9  
10 This bill concerns the authority granted to the Casino Control  
11 Commission under S-652 (1R) of 1992 and A-1233 (1R) of 1992 to  
12 authorize 24-hour operation of casinos on any day other than  
13 Saturday, Sunday, or a holiday. The purpose of the bill is to give  
14 legislative guidelines to the Casino Control Commission in  
15 making its decisions on authorizing such 24-hour operation in  
16 order to ensure that 24-hour operation every day of the week  
17 does not become automatic.

18 Specifically the bill:

19 (1) effects the change in the Casino Control Act, P.L.1977,  
20 c.110 (C.5:12-1 et seq.), contained in S-652 (1R) of 1992 and  
21 A-1233 (1R) of 1992 with respect to casinos' hours of operation,  
22 except that the bill requires that the basis of judgment to be used  
23 by the Casino Control Commission in making its finding to  
24 authorize 24-hour casino operation on any day other than  
25 Saturday, Sunday, or a holiday must be the economic impact on  
26 the casino industry and on Atlantic City, rather than on the  
27 casino industry or on Atlantic City;

28 (2) directs the commission to consider, among other factors:  
29 (a) the anticipated volume of visitor, convention, or tourist  
30 traffic in Atlantic City as a result of any scheduled meetings or  
31 events; (b) any special promotions or market expansion programs  
32 undertaken by the casino industry or others to increase such  
33 traffic; or (c) any other basis for the conclusion that an extension  
34 of operating hours would, under the circumstances, effect a  
35 significant impact on the volume of casino business and thereby  
36 on the State revenues dependent thereupon; and

37 (3) requires any resolution approving an extension of operating  
38 hours to be considered at a regularly scheduled meeting held  
39 pursuant to the "Open Public Meetings Act," P.L.1975, c.231  
40 (C.10:4-6 et seq.), which requirement is a restatement of the  
41 requirement already in the Casino Control Act that the  
42 commission comply with the "Open Public Meetings Act" in order  
43 to assure that this decision is made in the open.

44  
45  
46  
47  
48 Provides guidelines for Casino Control Commission in making  
49 decisions on authorizing 24-hour gambling on days other than  
50 Saturday, Sunday, or a holiday.

1 change in hours.

2 c. Nothing herein shall be construed to limit a casino licensee  
3 in opening its casino later than, or closing its casino earlier than,  
4 the times stated in its schedule of operating hours; provided,  
5 however, that any such alterations in its hours shall comply with,  
6 the provisions of subsection a. of this section and with regulations  
7 of the commission pertaining to such alterations.

8 (cf: P.L.1991, c.182, s.35)

9 2. This act shall take effect immediately.

10

11

12

## STATEMENT

13

14 This bill concerns the authority granted to the Casino Control  
15 Commission under S-652 (1R) of 1992 and A-1233 (1R) of 1992 to  
16 authorize 24-hour operation of casinos on any day other than  
17 Saturday, Sunday, or a holiday. The purpose of the bill is to give  
18 legislative guidelines to the Casino Control Commission in  
19 making its decisions on authorizing such 24-hour operation in  
20 order to ensure that 24-hour operation every day of the week  
21 does not become automatic.

22 Specifically the bill:

23 (1) effects the change in the Casino Control Act, P.L.1977,  
24 c.110 (C.5:12-1 et seq.), contained in S-652 (1R) of 1992 and  
25 A-1233 (1R) of 1992 with respect to casinos' hours of operation,  
26 except that the bill requires that the basis of judgment to be used  
27 by the Casino Control Commission in making its finding to  
28 authorize 24-hour casino operation on any day other than  
29 Saturday, Sunday, or a holiday must be the economic impact on  
30 the casino industry and on Atlantic City, rather than on the  
31 casino industry or on Atlantic City;

32 (2) directs the commission to consider, among other factors:  
33 (a) the anticipated volume of visitor, convention, or tourist  
34 traffic in Atlantic City as a result of any scheduled meetings or  
35 events; (b) any special promotions or market expansion programs  
36 undertaken by the casino industry or others to increase such  
37 traffic; or (c) any other basis for the conclusion that an extension  
38 of operating hours would, under the circumstances, effect a  
39 significant impact on the volume of casino business and thereby  
40 on the State revenues dependent thereupon; and

41 (3) requires any resolution approving an extension of operating  
42 hours to be considered at a regularly scheduled meeting held  
43 pursuant to the "Open Public Meetings Act," P.L.1975, c.231  
44 (C.10:4-6 et seq.), which requirement is a restatement of the  
45 requirement already in the Casino Control Act that the  
46 commission comply with the "Open Public Meetings Act" in order  
47 to assure that this decision is made in the open.

48

49

50

51

52 Provides guidelines for Casino Control Commission in making  
53 decisions on authorizing 24-hour gambling on days other than  
54 Saturday, Sunday, or a holiday.

ASSEMBLY FINANCIAL INSTITUTIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1419

STATE OF NEW JERSEY

DATED: JUNE 8, 1992

The Assembly Financial Institutions Committee favorably reports Assembly, No. 1419.

Specifically the bill:

(1) requires that the basis of judgment to be used by the Casino Control Commission in making its finding to authorize 24-hour casino operation on any day other than Saturday, Sunday, or a holiday must be the economic impact on the casino industry and on Atlantic City, rather than on the casino industry or on Atlantic City, as in current law;

(2) directs the commission to consider at least the following criteria when making a decision regarding operating hours: (a) the anticipated volume of visitor, convention, or tourist traffic in Atlantic City as a result of any scheduled meetings or events; (b) any special promotions or market expansion programs undertaken by the casino industry or others to increase such traffic; or (c) any other basis for the conclusion that an extension of operating hours would, under the circumstances, have a significant impact on the volume of casino business and thereby on the State revenues dependent thereupon; and

(3) requires any resolution approving an extension of operating hours to be considered at a regularly scheduled meeting held pursuant to the "Open Public Meetings Act," P.L.1975, c.231 (C.10:4-6 et seq.).