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FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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RWH/JA

P.L. 2021, CHAPTER 407, *approved January 18, 2022*
Senate, No. 3673 (*First Reprint*)

1 AN ACT concerning limited breweries and craft distilleries and
2 amending R.S.33:1-10.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. R.S.33:1-10 is amended to read as follows:

8 33:1-10. Class A licenses shall be subdivided and classified as
9 follows:

10 Plenary brewery license 1a. The holder of this license shall be
11 entitled, subject to rules and regulations, to brew any malt alcoholic
12 beverages and to sell and distribute his products to wholesalers and
13 retailers licensed in accordance with this chapter, and to sell and
14 distribute without this State to any persons pursuant to the laws of
15 the places of such sale and distribution, and to maintain a warehouse;
16 provided, however, that the delivery of this product by the holder of
17 this license to retailers licensed under this title shall be from
18 inventory in a warehouse located in this State which is operated under
19 a plenary brewery license. The fee for this license shall be \$10,625.

20 Limited brewery license 1b. The holder of this license shall be
21 entitled, subject to rules and regulations, to brew any malt alcoholic
22 beverages in a quantity to be expressed in said license, dependent
23 upon the following fees and not in excess of 300,000 barrels of 31
24 fluid gallons capacity per year and to sell and distribute this product
25 to wholesalers and retailers licensed in accordance with this chapter,
26 and to sell and distribute without this State to any persons pursuant
27 to the laws of the places of such sale and distribution, and to maintain
28 a warehouse; provided, however, that the delivery of this product by
29 the holder of this license to retailers licensed under this title shall be
30 from inventory in a warehouse located in this State which is operated
31 under a limited brewery license. The holder of this license shall be
32 entitled to sell this product at retail to consumers on the licensed
33 premises of the brewery for consumption on the premises, but only
34 in connection with a tour of the brewery, or for consumption off the
35 premises in a quantity of not more than 15.5 fluid gallons per person,
36 and to offer samples for sampling purposes only pursuant to an
37 annual permit issued by the director. If the holder of this license holds
38 a bonded warehouse bottling license issued pursuant to subsection 5
39 of this section, product brewed in accordance with this subsection
40 and transferred to a bonded warehouse for bottling and storage may

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:

¹Senate SLP committee amendments adopted December 16, 2021.

1 be sold at retail and offered for sampling on the licensed premises of
2 the brewery by the holder of this license. The holder of this license
3 shall not sell food or operate a restaurant on the licensed premises.
4 The fee for this license shall be graduated as follows:

5 to so brew not more than 50,000 barrels of 31 liquid gallons
6 capacity per annum, \$1,250;

7 to so brew not more than 100,000 barrels of 31 fluid gallons
8 capacity per annum, \$2,500;

9 to so brew not more than 200,000 barrels of 31 fluid gallons
10 capacity per annum, \$5,000;

11 to so brew not more than 300,000 barrels of 31 fluid gallons
12 capacity per annum, \$7,500.

13 For the purposes of this subsection, "sampling" means the selling
14 at a nominal charge or the gratuitous offering of an open container
15 not exceeding four ounces of any malt alcoholic beverage. For the
16 purposes of this subsection, "product" means any malt alcoholic
17 beverage that is produced on the premises licensed under this
18 subsection.

19 Restricted brewery license. 1c. The holder of this license shall be
20 entitled, subject to rules and regulations, to brew any malt alcoholic
21 beverages in a quantity to be expressed in such license not in excess
22 of 10,000 barrels of 31 gallons capacity per year. Notwithstanding
23 the provisions of R.S.33:1-26, the director shall issue a restricted
24 brewery license only to a person or an entity which has identical
25 ownership to an entity which holds a plenary retail consumption
26 license issued pursuant to R.S.33:1-12, provided that such plenary
27 retail consumption license is operated in conjunction with a
28 restaurant regularly and principally used for the purpose of providing
29 meals to its customers and having adequate kitchen and dining room
30 facilities, and that the licensed restaurant premises is immediately
31 adjoining the premises licensed under this subsection. The holder of
32 this license shall be entitled to sell or deliver the product to that
33 restaurant premises. The holder of this license also shall be entitled
34 to sell and distribute the product to wholesalers licensed in
35 accordance with this chapter. The fee for this license shall be \$1,250,
36 which fee shall entitle the holder to brew up to 1,000 barrels of 31
37 liquid gallons per annum. The licensee also shall pay an additional
38 \$250 for every additional 1,000 barrels of 31 fluid gallons produced.
39 The fee shall be paid at the time of application for the license, and
40 additional payments based on barrels produced shall be paid within
41 60 days following the expiration of the license term upon
42 certification by the licensee of the actual gallons brewed during the
43 license term. No more than 10 restricted brewery licenses shall be
44 issued to a person or entity which holds an interest in a plenary retail
45 consumption license. If the governing body of the municipality in
46 which the licensed premises will be located should file a written
47 objection, the director shall hold a hearing and may issue the license
48 only if the director finds that the issuance of the license will not be

1 contrary to the public interest. All fees related to the issuance of both
2 licenses shall be paid in accordance with statutory law. The
3 provisions of this subsection shall not be construed to limit or restrict
4 the rights and privileges granted by the plenary retail consumption
5 license held by the holder of the restricted brewery license issued
6 pursuant to this subsection.

7 The holder of this license shall be entitled to offer samples of its
8 product for promotional purposes at charitable or civic events off the
9 licensed premises pursuant to an annual permit issued by the director.

10 For the purposes of this subsection, "sampling" means the selling
11 at a nominal charge or the gratuitous offering of an open container
12 not exceeding four ounces of any malt alcoholic beverage product.
13 For the purposes of this subsection, "product" means any malt
14 alcoholic beverage that is produced on the premises licensed under
15 this subsection.

16 Plenary winery license. 2a. Provided that the holder is engaged
17 in growing and cultivating grapes or fruit used in the production of
18 wine on at least three acres on, or adjacent to, the winery premises,
19 the holder of this license shall be entitled, subject to rules and
20 regulations, to produce any fermented wines, and to blend, fortify
21 and treat wines, and to sell and distribute his products to wholesalers
22 licensed in accordance with this chapter and to churches for religious
23 purposes, and to sell and distribute without this State to any persons
24 pursuant to the laws of the places of such sale and distribution, and
25 to maintain a warehouse, and to sell his products at retail to
26 consumers on the licensed premises of the winery for consumption
27 on or off the premises and to offer samples for sampling purposes
28 only. The fee for this license shall be \$938. A holder of this license
29 who produces not more than 250,000 gallons per year shall also have
30 the right to sell and distribute his products to retailers licensed in
31 accordance with this chapter, except that the holder of this license
32 shall not use a common carrier for such distribution. The fee for this
33 additional privilege shall be graduated as follows: a licensee who
34 manufactures more than 150,000 gallons, but not in excess of
35 250,000 gallons per annum, \$1,000; a licensee who manufactures
36 more than 100,000 gallons, but not in excess of 150,000 gallons per
37 annum, \$500; a licensee who manufactures more than 50,000 gallons,
38 but not in excess of 100,000 gallons per annum, \$250; a licensee who
39 manufactures 50,000 gallons or less per annum, \$100. A holder of
40 this license who produces not more than 250,000 gallons per year
41 shall have the right to sell such wine at retail in original packages in
42 15 salesrooms apart from the winery premises for consumption on or
43 off the premises and for sampling purposes for consumption on the
44 premises, at a fee of \$250 for each salesroom. Licensees shall not
45 jointly control and operate salesrooms. Additionally, the holder of
46 this license who produces not more than 250,000 gallons per year
47 may ship not more than 12 cases of wine per year, subject to
48 regulation, to any person within or without this State over 21 years

1 of age for personal consumption and not for resale. A case of wine
2 shall not exceed a maximum of nine liters. A copy of the original
3 invoice shall be available for inspection by persons authorized to
4 enforce the alcoholic beverage laws of this State for a minimum
5 period of three years at the licensed premises of the winery. For the
6 purposes of this subsection, "sampling" means the selling at a
7 nominal charge or the gratuitous offering of an open container not
8 exceeding one and one-half ounces of any wine.

9 A holder of this license who produces not more than 250,000
10 gallons per year shall not own, either in whole or in part, or hold,
11 either directly or indirectly, any interest in a winery that produces
12 more than 250,000 gallons per year. In addition, a holder of this
13 license who produces more than 250,000 gallons per year shall not
14 own, either in whole or in part, or hold, either directly or indirectly,
15 any interest in a winery that produces not more than 250,000 gallons
16 per year. For the purposes of this subsection, "product" means any
17 wine that is produced, blended, fortified, or treated by the licensee
18 on its licensed premises situated in the State of New Jersey. For the
19 purposes of this subsection, "wine" shall include "hard cider" and
20 "mead" as defined in this section.

21 Farm winery license. 2b. The holder of this license shall be
22 entitled, subject to rules and regulations, to manufacture any
23 fermented wines and fruit juices in a quantity to be expressed in said
24 license, dependent upon the following fees and not in excess of
25 50,000 gallons per year and to sell and distribute his products to
26 wholesalers and retailers licensed in accordance with this chapter and
27 to churches for religious purposes and to sell and distribute without
28 this State to any persons pursuant to the laws of the places of such
29 sale and distribution, and to maintain a warehouse and to sell at retail
30 to consumers for consumption on or off the licensed premises and to
31 offer samples for sampling purposes only. The license shall be issued
32 only when the winery at which such fermented wines and fruit juices
33 are manufactured is located and constructed upon a tract of land
34 exclusively under the control of the licensee, provided that the
35 licensee is actively engaged in growing and cultivating an area of not
36 less than three acres on or adjacent to the winery premises and on
37 which are growing grape vines or fruit to be processed into wine or
38 fruit juice; and provided, further, that for the first five years of the
39 operation of the winery such fermented wines and fruit juices shall
40 be manufactured from at least 51 percent grapes or fruit grown in the
41 State and that thereafter they shall be manufactured from grapes or
42 fruit grown in this State at least to the extent required for labeling as
43 "New Jersey Wine" under the applicable federal laws and
44 regulations. The containers of all wine sold to consumers by such
45 licensee shall have affixed a label stating such information as shall
46 be required by the rules and regulations of the Director of the
47 Division of Alcoholic Beverage Control. The fee for this license
48 shall be graduated as follows: to so manufacture between 30,000 and

1 50,000 gallons per annum, \$375; to so manufacture between 2,500
2 and 30,000 gallons per annum, \$250; to so manufacture between
3 1,000 and 2,500 gallons per annum, \$125; to so manufacture less than
4 1,000 gallons per annum, \$63. No farm winery license shall be held
5 by the holder of a plenary winery license or be situated on a premises
6 licensed as a plenary winery.

7 The holder of this license shall also have the right to sell and
8 distribute his products to retailers licensed in accordance with this
9 chapter, except that the holder of this license shall not use a common
10 carrier for such distribution. The fee for this additional privilege
11 shall be \$100. The holder of this license shall have the right to sell
12 his products in original packages at retail to consumers in 15
13 salesrooms apart from the winery premises for consumption on or off
14 the premises, and for sampling purposes for consumption on the
15 premises, at a fee of \$250 for each salesroom. Licensees shall not
16 jointly control and operate salesrooms. Additionally, the holder of
17 this license may ship not more than 12 cases of wine per year, subject
18 to regulation, to any person within or without this State over 21 years
19 of age for personal consumption and not for resale. A case of wine
20 shall not exceed a maximum of nine liters. A copy of the original
21 invoice shall be available for inspection by persons authorized to
22 enforce the alcoholic beverage laws of this State for a minimum
23 period of three years at the licensed premises of the winery. For the
24 purposes of this subsection, "sampling" means the selling at a
25 nominal charge or the gratuitous offering of an open container not
26 exceeding one and one-half ounces of any wine.

27 A holder of this license who produces not more than 250,000
28 gallons per year shall not own, either in whole or in part, or hold,
29 either directly or indirectly, any interest in a winery that produces
30 more than 250,000 gallons per year.

31 Unless otherwise indicated, for the purposes of this subsection,
32 with respect to farm winery licenses, "manufacture" means the
33 vinification, aging, storage, blending, clarification, stabilization and
34 bottling of wine or juice from New Jersey fruit to the extent required
35 by this subsection.

36 For the purposes of this subsection, "wine" shall include "hard
37 cider" and "mead" as defined in this section.

38 Wine blending license. 2c. The holder of this license shall be
39 entitled, subject to rules and regulations, to blend, treat, mix, and
40 bottle fermented wines and fruit juices with non-alcoholic beverages,
41 and to sell and distribute his products to wholesalers and retailers
42 licensed in accordance with this chapter, and to sell and distribute
43 without this State to any persons pursuant to the laws of the places of
44 such sale and distribution, and to maintain a warehouse. The fee for
45 this license shall be \$625.

46 For the purposes of this subsection, "wine" shall include "hard
47 cider" and "mead" as defined in this section.

1 Instructional winemaking facility license. 2d. The holder of this
2 license shall be entitled, subject to rules and regulations, to instruct
3 persons in and provide them with the opportunity to participate
4 directly in the process of winemaking and to directly assist such
5 persons in the process of winemaking while in the process of
6 instruction on the premises of the facility. The holder of this license
7 also shall be entitled to manufacture wine on the premises not in
8 excess of an amount of 10 percent of the wine produced annually on
9 the premises of the facility, which shall be used only to replace
10 quantities lost or discarded during the winemaking process, to
11 maintain a warehouse, and to offer samples produced by persons who
12 have received instruction in winemaking on the premises by the
13 licensee for sampling purposes only on the licensed premises for the
14 purpose of promoting winemaking for personal or household use or
15 consumption. Wine produced on the premises of an instructional
16 winemaking facility shall be used, consumed or disposed of on the
17 facility's premises or distributed from the facility's premises to a
18 person who has participated directly in the process of winemaking
19 for the person's personal or household use or consumption. The
20 holder of this license may sell mercantile items traditionally
21 associated with winemaking and novelty wearing apparel identified
22 with the name of the establishment licensed under the provisions of
23 this section. The holder of this license may use the licensed premises
24 for an event or affair, including an event or affair at which a plenary
25 retail consumption licensee serves alcoholic beverages in compliance
26 with all applicable statutes and regulations promulgated by the
27 director. The fee for this license shall be \$1,000. For the purposes
28 of this subsection, "sampling" means the gratuitous offering of an
29 open container not exceeding one and one-half ounces of any wine.

30 For the purposes of this subsection, "wine" shall include "hard
31 cider" and "mead" as defined in this section.

32 Out-of-State winery license. 2e. Provided that the applicant does
33 not produce more than 250,000 gallons of wine per year, the holder
34 of a valid winery license issued in any other state may make
35 application to the director for this license. The holder of this license
36 shall have the right to sell and distribute his products to wholesalers
37 licensed in accordance with this chapter and to sell such wine at retail
38 in original packages in 16 salesrooms apart from the winery premises
39 for consumption on or off the premises at a fee of \$250 for each
40 salesroom. Licensees shall not jointly control and operate
41 salesrooms. The annual fee for this license shall be \$938. A copy of
42 a current license issued by another state shall accompany the
43 application. The holder of this license also shall have the right to sell
44 and distribute his products to retailers licensed in accordance with
45 this chapter, except that the holder of this license shall not use a
46 common carrier for such distribution. The fee for this additional
47 privilege shall be graduated as follows: a licensee who manufactures
48 more than 150,000 gallons, but not in excess of 250,000 gallons per

1 annum, \$1,000; a licensee who manufactures more than 100,000
2 gallons, but not in excess of 150,000 gallons per annum, \$500; a
3 licensee who manufactures more than 50,000 gallons, but not in
4 excess of 100,000 gallons per annum, \$250; a licensee who
5 manufactures 50,000 gallons or less per annum, \$100. Additionally,
6 the holder of this license may ship not more than 12 cases of wine
7 per year, subject to regulation, to any person within or without this
8 State over 21 years of age for personal consumption and not for
9 resale. A case of wine shall not exceed a maximum of nine liters. A
10 copy of the original invoice shall be available for inspection by
11 persons authorized to enforce the alcoholic beverage laws of this
12 State for a minimum period of three years at the licensed premises of
13 the winery.

14 The licensee shall collect from the customer the tax due on the sale
15 pursuant to the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-
16 1 et seq.) and shall pay the tax due on the delivery of alcoholic
17 beverages pursuant to the "Alcoholic beverage tax law," R.S.54:41-
18 1 et seq. The Director of the Division of Taxation in the Department
19 of the Treasury shall promulgate such rules and regulations necessary
20 to effectuate the provisions of this paragraph, and may provide by
21 regulation for the co-administration of the tax due on the delivery of
22 alcoholic beverages pursuant to the "Alcoholic beverage tax law,"
23 R.S.54:41-1 et seq. with the administration of the tax due on the sale
24 pursuant to the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-
25 1 et seq.).

26 A holder of this license who produces not more than 250,000
27 gallons per year shall not own, either in whole or in part, or hold,
28 either directly or indirectly, any interest in a winery that produces
29 more than 250,000 gallons per year.

30 For the purposes of this subsection, "wine" shall include "hard
31 cider" and "mead" as defined in this section.

32 Cidery and meadery license. 2f. The holder of this license shall
33 be entitled, subject to rules and regulations, to manufacture hard cider
34 and mead and to sell and distribute these products to wholesalers and
35 retailers licensed in accordance with this chapter, and to sell and
36 distribute without this State to any persons pursuant to the laws of
37 the places of such sale and distribution, and to maintain a warehouse.
38 The holder of this license shall be entitled to sell these products at
39 retail to consumers on the licensed premises for consumption on or
40 off the premises and to offer samples for sampling purposes only.
41 The holder of this license shall be permitted to offer for sale or make
42 the gratuitous offering of packaged crackers, chips, nuts, and similar
43 snacks to consumers, but shall not operate a restaurant on the licensed
44 premises. The fee for this license shall be \$938.

45 The holder of this license shall be entitled to manufacture hard
46 cider in a quantity not to exceed 50,000 barrels of 31 fluid gallons
47 capacity per year. With respect to the sale and distribution of hard
48 cider to a wholesaler, the licensee shall be subject to the same

1 statutory and regulatory requirements as a brewer, and hard cider
2 shall be considered a malt alcoholic beverage, for the purposes of the
3 "Malt Alcoholic Beverage Practices Act," P.L.2005, c.243 (C.33:1-
4 93.12 et seq.). The holder of this license shall not directly ship hard
5 cider either within or without this State.

6 The holder of this license shall be entitled to manufacture not more
7 than 250,000 gallons of mead per year. The holder of this license may
8 ship not more than 12 cases of mead per year, subject to regulation,
9 to any person within or without this State over 21 years of age for
10 personal consumption and not for resale. A case of mead shall not
11 exceed a maximum of nine liters. A copy of the original invoice shall
12 be available for inspection by persons authorized to enforce the
13 alcoholic beverage laws of this State for a minimum period of three
14 years at the licensed premises.

15 As used in this subsection:

16 "Hard cider" means a fermented alcoholic beverage derived
17 primarily from apples, pears, apple juice concentrate and water, or
18 pear juice concentrate and water, which may include spices, herbs,
19 honey, or other flavoring, and which contains at least one half of one
20 percent but less than eight and one half percent alcohol by volume.

21 "Mead" means an alcoholic beverage primarily made from honey,
22 water, and yeast, and which may contain fruit, fruit juices, spices, or
23 herbs added before or after fermentation has completed, except that
24 the ratio of fermentable sugars from fruit or fruit juices shall not
25 exceed 49 percent of the total fermentable sugars used to produce
26 mead.

27 "Sampling" means the selling at a nominal charge or the gratuitous
28 offering of an open container not exceeding four ounces of hard cider
29 or mead produced on the licensed premises.

30 Plenary distillery license. 3a. The holder of this license shall be
31 entitled, subject to rules and regulations, to manufacture any distilled
32 alcoholic beverages and rectify, blend, treat and mix, and to sell and
33 distribute his products to wholesalers and retailers licensed in
34 accordance with this chapter, and to sell and distribute without this
35 State to any persons pursuant to the laws of the places of such sale
36 and distribution, and to maintain a warehouse. The fee for this
37 license shall be \$12,500.

38 Limited distillery license. 3b. The holder of this license shall be
39 entitled, subject to rules and regulations, to manufacture and bottle
40 any alcoholic beverages distilled from fruit juices and rectify, blend,
41 treat, mix, compound with wine and add necessary sweetening and
42 flavor to make cordial or liqueur, and to sell and distribute to
43 wholesalers and retailers licensed in accordance with this chapter,
44 and to sell and distribute without this State to any persons pursuant
45 to the laws of the places of such sale and distribution and to
46 warehouse these products. The fee for this license shall be \$3,750.

47 Supplementary limited distillery license. 3c. The holder of this
48 license shall be entitled, subject to rules and regulations, to bottle and

1 rebottle, in a quantity to be expressed in said license, dependent upon
2 the following fees, alcoholic beverages distilled from fruit juices by
3 such holder pursuant to a prior plenary or limited distillery license,
4 and to sell and distribute his products to wholesalers and retailers
5 licensed in accordance with this chapter, and to sell and distribute
6 without this State to any persons pursuant to the laws of the places of
7 such sale and distribution, and to maintain a warehouse. The fee for
8 this license shall be graduated as follows: to so bottle and rebottle not
9 more than 5,000 wine gallons per annum, \$313; to so bottle and
10 rebottle not more than 10,000 wine gallons per annum, \$625; to so
11 bottle and rebottle without limit as to amount, \$1,250.

12 Craft distillery license. 3d. The holder of this license shall be
13 entitled, subject to rules and regulations, to manufacture not more
14 than 20,000 gallons of distilled ¹**or redistilled**¹ alcoholic
15 beverages, to rectify, blend, treat and mix distilled ¹**or redistilled**¹
16 alcoholic beverages, to sell and distribute this product to wholesalers
17 and retailers licensed in accordance with this chapter, and to sell and
18 distribute without this State to any persons pursuant to the laws of
19 the places of such sale and distribution, and to maintain a warehouse.
20 The holder of this license shall be entitled to sell this product at retail
21 to consumers on the licensed premises of the distillery for
22 consumption on the premises, but only in connection with a tour of
23 the distillery, and for consumption off the premises in a quantity of
24 not more than five liters per person. In addition, the holder of this
25 license may offer any person not more than three samples per
26 calendar day for sampling purposes only. For the purposes of this
27 subsection, "sampling" means the gratuitous offering of an open
28 container not exceeding one-half ounce serving of distilled alcoholic
29 beverage produced on the distillery premises. If the holder of this
30 license holds a bonded warehouse bottling license issued pursuant to
31 subsection 5 of this section, product manufactured in accordance with
32 this subsection and transferred to a bonded warehouse for bottling
33 and storage may be sold at retail and offered for sampling on the
34 licensed premises of the distillery by the holder of this license.
35 ¹**Product sold at retail for consumption on the licensed premises or**
36 **offered for sampling purposes may be mixed into a cocktail with non-**
37 **alcoholic beverages, mixers, or garnishings.**¹ Nothing in this
38 subsection shall be deemed to permit the direct shipment of distilled
39 spirits either within or without this State.

40 The holder of this license shall not sell food or operate a restaurant
41 on the licensed premises. A holder of this license who certifies that
42 not less than 51 percent of the raw materials used in the production
43 of distilled alcoholic beverages under this section are grown in this
44 State or purchased from providers located in this State may,
45 consistent with all applicable federal laws and regulations, label these
46 distilled alcoholic beverages as "New Jersey Distilled." The fee for
47 this license shall be \$938.

1 Rectifier and blender license. 4. The holder of this license shall
2 be entitled, subject to rules and regulations, to rectify, blend, treat
3 and mix distilled alcoholic beverages, and to fortify, blend, and treat
4 fermented alcoholic beverages, and prepare mixtures of alcoholic
5 beverages, and to sell and distribute his products to wholesalers and
6 retailers licensed in accordance with this chapter, and to sell and
7 distribute without this State to any persons pursuant to the laws of
8 the places of such sale and distribution, and to maintain a warehouse.
9 The fee for this license shall be \$7,500.

10 Bonded warehouse bottling license. 5. The holder of this license
11 shall be entitled, subject to rules and regulations, to bottle alcoholic
12 beverages in bond on behalf of all persons authorized by federal and
13 State law and regulations to withdraw alcoholic beverages from
14 bond. The fee for this license shall be \$625. This license shall be
15 issued only to persons holding permits to operate Internal Revenue
16 bonded warehouses pursuant to the laws of the United States.

17 The provisions of section 21 of P.L.2003, c.117 amendatory of this
18 section shall apply to licenses issued or transferred on or after July 1,
19 2003, and to license renewals commencing on or after July 1, 2003.
20 (cf: P.L.2017, c.80, s.1)

21

22 2. This act shall take effect immediately.

23

24

25

26

27 _____
28 Authorizes limited breweries and craft distilleries to sell at retail
29 and offer for sampling purposes product bottled and stored off-site
under certain circumstances.

SENATE, No. 3673

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED APRIL 26, 2021

Sponsored by:
Senator VIN GOPAL
District 11 (Monmouth)

SYNOPSIS

Authorizes limited breweries and craft distilleries to sell at retail and offer for sampling purposes product bottled and stored off-site under certain circumstances and authorizes craft distilleries to manufacture redistilled alcoholic beverages.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning limited breweries and craft distilleries and
2 amending R.S.33:1-10.

3

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

6

7 1. R.S.33:1-10 is amended to read as follows:

8 33:1-10. Class A licenses shall be subdivided and classified as
9 follows:

10 Plenary brewery license. 1a. The holder of this license shall
11 be entitled, subject to rules and regulations, to brew any malt
12 alcoholic beverages and to sell and distribute his products to
13 wholesalers and retailers licensed in accordance with this chapter,
14 and to sell and distribute without this State to any persons pursuant
15 to the laws of the places of such sale and distribution, and to
16 maintain a warehouse; provided, however, that the delivery of this
17 product by the holder of this license to retailers licensed under this
18 title shall be from inventory in a warehouse located in this State
19 which is operated under a plenary brewery license. The fee for this
20 license shall be \$10,625.

21 Limited brewery license. 1b. The holder of this license shall
22 be entitled, subject to rules and regulations, to brew any malt
23 alcoholic beverages in a quantity to be expressed in said license,
24 dependent upon the following fees and not in excess of 300,000
25 barrels of 31 fluid gallons capacity per year and to sell and
26 distribute this product to wholesalers and retailers licensed in
27 accordance with this chapter, and to sell and distribute without this
28 State to any persons pursuant to the laws of the places of such sale
29 and distribution, and to maintain a warehouse; provided, however,
30 that the delivery of this product by the holder of this license to
31 retailers licensed under this title shall be from inventory in a
32 warehouse located in this State which is operated under a limited
33 brewery license. The holder of this license shall be entitled to sell
34 this product at retail to consumers on the licensed premises of the
35 brewery for consumption on the premises, but only in connection
36 with a tour of the brewery, or for consumption off the premises in a
37 quantity of not more than 15.5 fluid gallons per person, and to offer
38 samples for sampling purposes only pursuant to an annual permit
39 issued by the director. If the holder of this license holds a bonded
40 warehouse bottling license issued pursuant to subsection 5 of this
41 section, product brewed in accordance with this subsection and
42 transferred to a bonded warehouse for bottling and storage may be
43 sold at retail and offered for sampling on the licensed premises of
44 the brewery by the holder of this license. The holder of this license

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.

1 shall not sell food or operate a restaurant on the licensed premises.

2 The fee for this license shall be graduated as follows:

3 to so brew not more than 50,000 barrels of 31 liquid gallons
4 capacity per annum, \$1,250;

5 to so brew not more than 100,000 barrels of 31 fluid gallons
6 capacity per annum, \$2,500;

7 to so brew not more than 200,000 barrels of 31 fluid gallons
8 capacity per annum, \$5,000;

9 to so brew not more than 300,000 barrels of 31 fluid gallons
10 capacity per annum, \$7,500.

11 For the purposes of this subsection, "sampling" means the selling
12 at a nominal charge or the gratuitous offering of an open container
13 not exceeding four ounces of any malt alcoholic beverage. For the
14 purposes of this subsection, "product" means any malt alcoholic
15 beverage that is produced on the premises licensed under this
16 subsection.

17 Restricted brewery license. 1c. The holder of this license shall be
18 entitled, subject to rules and regulations, to brew any malt alcoholic
19 beverages in a quantity to be expressed in such license not in excess
20 of 10,000 barrels of 31 gallons capacity per year. Notwithstanding
21 the provisions of R.S.33:1-26, the director shall issue a restricted
22 brewery license only to a person or an entity which has identical
23 ownership to an entity which holds a plenary retail consumption
24 license issued pursuant to R.S.33:1-12, provided that such plenary
25 retail consumption license is operated in conjunction with a
26 restaurant regularly and principally used for the purpose of
27 providing meals to its customers and having adequate kitchen and
28 dining room facilities, and that the licensed restaurant premises is
29 immediately adjoining the premises licensed under this subsection.
30 The holder of this license shall be entitled to sell or deliver the
31 product to that restaurant premises. The holder of this license also
32 shall be entitled to sell and distribute the product to wholesalers
33 licensed in accordance with this chapter. The fee for this license
34 shall be \$1,250, which fee shall entitle the holder to brew up to
35 1,000 barrels of 31 liquid gallons per annum. The licensee also shall
36 pay an additional \$250 for every additional 1,000 barrels of 31 fluid
37 gallons produced. The fee shall be paid at the time of application
38 for the license, and additional payments based on barrels produced
39 shall be paid within 60 days following the expiration of the license
40 term upon certification by the licensee of the actual gallons brewed
41 during the license term. No more than 10 restricted brewery
42 licenses shall be issued to a person or entity which holds an interest
43 in a plenary retail consumption license. If the governing body of the
44 municipality in which the licensed premises will be located should
45 file a written objection, the director shall hold a hearing and may
46 issue the license only if the director finds that the issuance of the
47 license will not be contrary to the public interest. All fees related to
48 the issuance of both licenses shall be paid in accordance with

1 statutory law. The provisions of this subsection shall not be
2 construed to limit or restrict the rights and privileges granted by the
3 plenary retail consumption license held by the holder of the
4 restricted brewery license issued pursuant to this subsection.

5 The holder of this license shall be entitled to offer samples of its
6 product for promotional purposes at charitable or civic events off
7 the licensed premises pursuant to an annual permit issued by the
8 director.

9 For the purposes of this subsection, "sampling" means the selling
10 at a nominal charge or the gratuitous offering of an open container
11 not exceeding four ounces of any malt alcoholic beverage product.
12 For the purposes of this subsection, "product" means any malt
13 alcoholic beverage that is produced on the premises licensed under
14 this subsection.

15 Plenary winery license. 2a. Provided that the holder is
16 engaged in growing and cultivating grapes or fruit used in the
17 production of wine on at least three acres on, or adjacent to, the
18 winery premises, the holder of this license shall be entitled, subject
19 to rules and regulations, to produce any fermented wines, and to
20 blend, fortify and treat wines, and to sell and distribute his products
21 to wholesalers licensed in accordance with this chapter and to
22 churches for religious purposes, and to sell and distribute without
23 this State to any persons pursuant to the laws of the places of such
24 sale and distribution, and to maintain a warehouse, and to sell his
25 products at retail to consumers on the licensed premises of the
26 winery for consumption on or off the premises and to offer samples
27 for sampling purposes only. The fee for this license shall be \$938.
28 A holder of this license who produces not more than 250,000
29 gallons per year shall also have the right to sell and distribute his
30 products to retailers licensed in accordance with this chapter, except
31 that the holder of this license shall not use a common carrier for
32 such distribution. The fee for this additional privilege shall be
33 graduated as follows: a licensee who manufactures more than
34 150,000 gallons, but not in excess of 250,000 gallons per annum,
35 \$1,000; a licensee who manufactures more than 100,000 gallons,
36 but not in excess of 150,000 gallons per annum, \$500; a licensee
37 who manufactures more than 50,000 gallons, but not in excess of
38 100,000 gallons per annum, \$250; a licensee who manufactures
39 50,000 gallons or less per annum, \$100. A holder of this license
40 who produces not more than 250,000 gallons per year shall have the
41 right to sell such wine at retail in original packages in 15
42 salesrooms apart from the winery premises for consumption on or
43 off the premises and for sampling purposes for consumption on the
44 premises, at a fee of \$250 for each salesroom. Licensees shall not
45 jointly control and operate salesrooms. Additionally, the holder of
46 this license who produces not more than 250,000 gallons per year
47 may ship not more than 12 cases of wine per year, subject to
48 regulation, to any person within or without this State over 21 years

1 of age for personal consumption and not for resale. A case of wine
2 shall not exceed a maximum of nine liters. A copy of the original
3 invoice shall be available for inspection by persons authorized to
4 enforce the alcoholic beverage laws of this State for a minimum
5 period of three years at the licensed premises of the winery. For the
6 purposes of this subsection, "sampling" means the selling at a
7 nominal charge or the gratuitous offering of an open container not
8 exceeding one and one-half ounces of any wine.

9 A holder of this license who produces not more than 250,000
10 gallons per year shall not own, either in whole or in part, or hold,
11 either directly or indirectly, any interest in a winery that produces
12 more than 250,000 gallons per year. In addition, a holder of this
13 license who produces more than 250,000 gallons per year shall not
14 own, either in whole or in part, or hold, either directly or indirectly,
15 any interest in a winery that produces not more than 250,000
16 gallons per year. For the purposes of this subsection, "product"
17 means any wine that is produced, blended, fortified, or treated by
18 the licensee on its licensed premises situated in the State of New
19 Jersey. For the purposes of this subsection, "wine" shall include
20 "hard cider" and "mead" as defined in this section.

21 Farm winery license. 2b. The holder of this license shall
22 be entitled, subject to rules and regulations, to manufacture any
23 fermented wines and fruit juices in a quantity to be expressed in
24 said license, dependent upon the following fees and not in excess of
25 50,000 gallons per year and to sell and distribute his products to
26 wholesalers and retailers licensed in accordance with this chapter
27 and to churches for religious purposes and to sell and distribute
28 without this State to any persons pursuant to the laws of the places
29 of such sale and distribution, and to maintain a warehouse and to
30 sell at retail to consumers for consumption on or off the licensed
31 premises and to offer samples for sampling purposes only. The
32 license shall be issued only when the winery at which such
33 fermented wines and fruit juices are manufactured is located and
34 constructed upon a tract of land exclusively under the control of the
35 licensee, provided that the licensee is actively engaged in growing
36 and cultivating an area of not less than three acres on or adjacent to
37 the winery premises and on which are growing grape vines or fruit
38 to be processed into wine or fruit juice; and provided, further, that
39 for the first five years of the operation of the winery such fermented
40 wines and fruit juices shall be manufactured from at least 51
41 percent grapes or fruit grown in the State and that thereafter they
42 shall be manufactured from grapes or fruit grown in this State at
43 least to the extent required for labeling as "New Jersey Wine" under
44 the applicable federal laws and regulations. The containers of all
45 wine sold to consumers by such licensee shall have affixed a label
46 stating such information as shall be required by the rules and
47 regulations of the Director of the Division of Alcoholic Beverage
48 Control. The fee for this license shall be graduated as follows: to so

1 manufacture between 30,000 and 50,000 gallons per annum, \$375;
2 to so manufacture between 2,500 and 30,000 gallons per annum,
3 \$250; to so manufacture between 1,000 and 2,500 gallons per
4 annum, \$125; to so manufacture less than 1,000 gallons per annum,
5 \$63. No farm winery license shall be held by the holder of a plenary
6 winery license or be situated on a premises licensed as a plenary
7 winery.

8 The holder of this license shall also have the right to sell and
9 distribute his products to retailers licensed in accordance with this
10 chapter, except that the holder of this license shall not use a
11 common carrier for such distribution. The fee for this additional
12 privilege shall be \$100. The holder of this license shall have the
13 right to sell his products in original packages at retail to consumers
14 in 15 salesrooms apart from the winery premises for consumption
15 on or off the premises, and for sampling purposes for consumption
16 on the premises, at a fee of \$250 for each salesroom. Licensees
17 shall not jointly control and operate salesrooms. Additionally, the
18 holder of this license may ship not more than 12 cases of wine per
19 year, subject to regulation, to any person within or without this
20 State over 21 years of age for personal consumption and not for
21 resale. A case of wine shall not exceed a maximum of nine liters. A
22 copy of the original invoice shall be available for inspection by
23 persons authorized to enforce the alcoholic beverage laws of this
24 State for a minimum period of three years at the licensed premises
25 of the winery. For the purposes of this subsection, "sampling"
26 means the selling at a nominal charge or the gratuitous offering of
27 an open container not exceeding one and one-half ounces of any
28 wine.

29 A holder of this license who produces not more than 250,000
30 gallons per year shall not own, either in whole or in part, or hold,
31 either directly or indirectly, any interest in a winery that produces
32 more than 250,000 gallons per year.

33 Unless otherwise indicated, for the purposes of this subsection,
34 with respect to farm winery licenses, "manufacture" means the
35 vinification, aging, storage, blending, clarification, stabilization and
36 bottling of wine or juice from New Jersey fruit to the extent
37 required by this subsection.

38 For the purposes of this subsection, "wine" shall include "hard
39 cider" and "mead" as defined in this section.

40 Wine blending license. 2c. The holder of this license shall
41 be entitled, subject to rules and regulations, to blend, treat, mix, and
42 bottle fermented wines and fruit juices with non-alcoholic
43 beverages, and to sell and distribute his products to wholesalers and
44 retailers licensed in accordance with this chapter, and to sell and
45 distribute without this State to any persons pursuant to the laws of
46 the places of such sale and distribution, and to maintain a
47 warehouse. The fee for this license shall be \$625.

1 For the purposes of this subsection, "wine" shall include "hard
2 cider" and "mead" as defined in this section.

3 Instructional winemaking facility license. 2d. The
4 holder of this license shall be entitled, subject to rules and
5 regulations, to instruct persons in and provide them with the
6 opportunity to participate directly in the process of winemaking and
7 to directly assist such persons in the process of winemaking while
8 in the process of instruction on the premises of the facility. The
9 holder of this license also shall be entitled to manufacture wine on
10 the premises not in excess of an amount of 10 percent of the wine
11 produced annually on the premises of the facility, which shall be
12 used only to replace quantities lost or discarded during the
13 winemaking process, to maintain a warehouse, and to offer samples
14 produced by persons who have received instruction in winemaking
15 on the premises by the licensee for sampling purposes only on the
16 licensed premises for the purpose of promoting winemaking for
17 personal or household use or consumption. Wine produced on the
18 premises of an instructional winemaking facility shall be used,
19 consumed or disposed of on the facility's premises or distributed
20 from the facility's premises to a person who has participated
21 directly in the process of winemaking for the person's personal or
22 household use or consumption. The holder of this license may sell
23 mercantile items traditionally associated with winemaking and
24 novelty wearing apparel identified with the name of the
25 establishment licensed under the provisions of this section. The
26 holder of this license may use the licensed premises for an event or
27 affair, including an event or affair at which a plenary retail
28 consumption licensee serves alcoholic beverages in compliance
29 with all applicable statutes and regulations promulgated by the
30 director. The fee for this license shall be \$1,000. For the purposes
31 of this subsection, "sampling" means the gratuitous offering of an
32 open container not exceeding one and one-half ounces of any wine.

33 For the purposes of this subsection, "wine" shall include "hard
34 cider" and "mead" as defined in this section.

35 Out-of-State winery license. 2e. Provided that the
36 applicant does not produce more than 250,000 gallons of wine per
37 year, the holder of a valid winery license issued in any other state
38 may make application to the director for this license. The holder of
39 this license shall have the right to sell and distribute his products to
40 wholesalers licensed in accordance with this chapter and to sell
41 such wine at retail in original packages in 16 salesrooms apart from
42 the winery premises for consumption on or off the premises at a fee
43 of \$250 for each salesroom. Licensees shall not jointly control and
44 operate salesrooms. The annual fee for this license shall be \$938.
45 A copy of a current license issued by another state shall accompany
46 the application. The holder of this license also shall have the right
47 to sell and distribute his products to retailers licensed in accordance
48 with this chapter, except that the holder of this license shall not use

1 a common carrier for such distribution. The fee for this additional
2 privilege shall be graduated as follows: a licensee who
3 manufactures more than 150,000 gallons, but not in excess of
4 250,000 gallons per annum, \$1,000; a licensee who manufactures
5 more than 100,000 gallons, but not in excess of 150,000 gallons per
6 annum, \$500; a licensee who manufactures more than 50,000
7 gallons, but not in excess of 100,000 gallons per annum, \$250; a
8 licensee who manufactures 50,000 gallons or less per annum, \$100.
9 Additionally, the holder of this license may ship not more than 12
10 cases of wine per year, subject to regulation, to any person within or
11 without this State over 21 years of age for personal consumption
12 and not for resale. A case of wine shall not exceed a maximum of
13 nine liters. A copy of the original invoice shall be available for
14 inspection by persons authorized to enforce the alcoholic beverage
15 laws of this State for a minimum period of three years at the
16 licensed premises of the winery.

17 The licensee shall collect from the customer the tax due on the
18 sale pursuant to the "Sales and Use Tax Act," P.L.1966, c.30
19 (C.54:32B-1 et seq.) and shall pay the tax due on the delivery of
20 alcoholic beverages pursuant to the "Alcoholic beverage tax law,"
21 R.S.54:41-1 et seq. The Director of the Division of Taxation in the
22 Department of the Treasury shall promulgate such rules and
23 regulations necessary to effectuate the provisions of this paragraph,
24 and may provide by regulation for the co-administration of the tax
25 due on the delivery of alcoholic beverages pursuant to the
26 "Alcoholic beverage tax law," R.S.54:41-1 et seq. with the
27 administration of the tax due on the sale pursuant to the "Sales and
28 Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.).

29 A holder of this license who produces not more than 250,000
30 gallons per year shall not own, either in whole or in part, or hold,
31 either directly or indirectly, any interest in a winery that produces
32 more than 250,000 gallons per year.

33 For the purposes of this subsection, "wine" shall include "hard
34 cider" and "mead" as defined in this section.

35 Cidery and meadery license. 2f. The holder of this
36 license shall be entitled, subject to rules and regulations, to
37 manufacture hard cider and mead and to sell and distribute these
38 products to wholesalers and retailers licensed in accordance with
39 this chapter, and to sell and distribute without this State to any
40 persons pursuant to the laws of the places of such sale and
41 distribution, and to maintain a warehouse. The holder of this
42 license shall be entitled to sell these products at retail to consumers
43 on the licensed premises for consumption on or off the premises and
44 to offer samples for sampling purposes only. The holder of this
45 license shall be permitted to offer for sale or make the gratuitous
46 offering of packaged crackers, chips, nuts, and similar snacks to
47 consumers, but shall not operate a restaurant on the licensed
48 premises. The fee for this license shall be \$938.

1 The holder of this license shall be entitled to manufacture hard
2 cider in a quantity not to exceed 50,000 barrels of 31 fluid gallons
3 capacity per year. With respect to the sale and distribution of hard
4 cider to a wholesaler, the licensee shall be subject to the same
5 statutory and regulatory requirements as a brewer, and hard cider
6 shall be considered a malt alcoholic beverage, for the purposes of
7 the "Malt Alcoholic Beverage Practices Act," P.L.2005, c.243
8 (C.33:1-93.12 et seq.). The holder of this license shall not directly
9 ship hard cider either within or without this State.

10 The holder of this license shall be entitled to manufacture not
11 more than 250,000 gallons of mead per year. The holder of this
12 license may ship not more than 12 cases of mead per year, subject
13 to regulation, to any person within or without this State over 21
14 years of age for personal consumption and not for resale. A case of
15 mead shall not exceed a maximum of nine liters. A copy of the
16 original invoice shall be available for inspection by persons
17 authorized to enforce the alcoholic beverage laws of this State for a
18 minimum period of three years at the licensed premises.

19 As used in this subsection:

20 "Hard cider" means a fermented alcoholic beverage derived
21 primarily from apples, pears, apple juice concentrate and water, or
22 pear juice concentrate and water, which may include spices, herbs,
23 honey, or other flavoring, and which contains at least one half of
24 one percent but less than eight and one half percent alcohol by
25 volume.

26 "Mead" means an alcoholic beverage primarily made from
27 honey, water, and yeast, and which may contain fruit, fruit juices,
28 spices, or herbs added before or after fermentation has completed,
29 except that the ratio of fermentable sugars from fruit or fruit juices
30 shall not exceed 49 percent of the total fermentable sugars used to
31 produce mead.

32 "Sampling" means the selling at a nominal charge or the
33 gratuitous offering of an open container not exceeding four ounces
34 of hard cider or mead produced on the licensed premises.

35 Plenary distillery license. 3a. The holder of this license shall
36 be entitled, subject to rules and regulations, to manufacture any
37 distilled alcoholic beverages and rectify, blend, treat and mix, and
38 to sell and distribute his products to wholesalers and retailers
39 licensed in accordance with this chapter, and to sell and distribute
40 without this State to any persons pursuant to the laws of the places
41 of such sale and distribution, and to maintain a warehouse. The fee
42 for this license shall be \$12,500.

43 Limited distillery license. 3b. The holder of this license shall
44 be entitled, subject to rules and regulations, to manufacture and
45 bottle any alcoholic beverages distilled from fruit juices and rectify,
46 blend, treat, mix, compound with wine and add necessary
47 sweetening and flavor to make cordial or liqueur, and to sell and
48 distribute to wholesalers and retailers licensed in accordance with

1 this chapter, and to sell and distribute without this State to any
2 persons pursuant to the laws of the places of such sale and
3 distribution and to warehouse these products. The fee for this
4 license shall be \$3,750.

5 Supplementary limited distillery license. 3c. The
6 holder of this license shall be entitled, subject to rules and
7 regulations, to bottle and rebottle, in a quantity to be expressed in
8 said license, dependent upon the following fees, alcoholic
9 beverages distilled from fruit juices by such holder pursuant to a
10 prior plenary or limited distillery license, and to sell and distribute
11 his products to wholesalers and retailers licensed in accordance
12 with this chapter, and to sell and distribute without this State to any
13 persons pursuant to the laws of the places of such sale and
14 distribution, and to maintain a warehouse. The fee for this license
15 shall be graduated as follows: to so bottle and rebottle not more
16 than 5,000 wine gallons per annum, \$313; to so bottle and rebottle
17 not more than 10,000 wine gallons per annum, \$625; to so bottle
18 and rebottle without limit as to amount, \$1,250.

19 Craft distillery license. 3d. The holder of this license shall
20 be entitled, subject to rules and regulations, to manufacture not
21 more than 20,000 gallons of distilled or redistilled alcoholic
22 beverages, to rectify, blend, treat and mix distilled or redistilled
23 alcoholic beverages, to sell and distribute this product to
24 wholesalers and retailers licensed in accordance with this chapter,
25 and to sell and distribute without this State to any persons pursuant
26 to the laws of the places of such sale and distribution, and to
27 maintain a warehouse. The holder of this license shall be entitled to
28 sell this product at retail to consumers on the licensed premises of
29 the distillery for consumption on the premises, but only in
30 connection with a tour of the distillery, and for consumption off the
31 premises in a quantity of not more than five liters per person. In
32 addition, the holder of this license may offer any person not more
33 than three samples per calendar day for sampling purposes only. For
34 the purposes of this subsection, "sampling" means the gratuitous
35 offering of an open container not exceeding one-half ounce serving
36 of distilled alcoholic beverage produced on the distillery premises.
37 If the holder of this license holds a bonded warehouse bottling
38 license issued pursuant to subsection 5 of this section, product
39 manufactured in accordance with this subsection and transferred to
40 a bonded warehouse for bottling and storage may be sold at retail
41 and offered for sampling on the licensed premises of the distillery
42 by the holder of this license. Product sold at retail for consumption
43 on the licensed premises or offered for sampling purposes may be
44 mixed into a cocktail with non-alcoholic beverages, mixers, or
45 garnishings. Nothing in this subsection shall be deemed to permit
46 the direct shipment of distilled spirits either within or without this
47 State.

1 The holder of this license shall not sell food or operate a
2 restaurant on the licensed premises. A holder of this license who
3 certifies that not less than 51 percent of the raw materials used in
4 the production of distilled alcoholic beverages under this section are
5 grown in this State or purchased from providers located in this State
6 may, consistent with all applicable federal laws and regulations,
7 label these distilled alcoholic beverages as "New Jersey Distilled."
8 The fee for this license shall be \$938.

9 Rectifier and blender license. 4. The holder of this
10 license shall be entitled, subject to rules and regulations, to rectify,
11 blend, treat and mix distilled alcoholic beverages, and to fortify,
12 blend, and treat fermented alcoholic beverages, and prepare
13 mixtures of alcoholic beverages, and to sell and distribute his
14 products to wholesalers and retailers licensed in accordance with
15 this chapter, and to sell and distribute without this State to any
16 persons pursuant to the laws of the places of such sale and
17 distribution, and to maintain a warehouse. The fee for this license
18 shall be \$7,500.

19 Bonded warehouse bottling license. 5. The holder of this
20 license shall be entitled, subject to rules and regulations, to bottle
21 alcoholic beverages in bond on behalf of all persons authorized by
22 federal and State law and regulations to withdraw alcoholic
23 beverages from bond. The fee for this license shall be \$625. This
24 license shall be issued only to persons holding permits to operate
25 Internal Revenue bonded warehouses pursuant to the laws of the
26 United States.

27 The provisions of section 21 of P.L.2003, c.117 amendatory of
28 this section shall apply to licenses issued or transferred on or after
29 July 1, 2003, and to license renewals commencing on or after July
30 1, 2003.

31 (cf: P.L.2017, c.80, s.1)

32

33 2. This act shall take effect immediately.

34

35

STATEMENT

36

37 This bill provides that the holder of a limited brewery license or
38 a craft distillery license would be permitted to sell and sample beer
39 or distilled spirits, as the case may be, on the licensed premises that
40 was bottled and stored off-site, under certain circumstances.

41 Current law provides that a limited brewery licensee is permitted
42 to sell product at retail and to offer product for sampling purposes
43 at the brewery location. Retail sales or sampling of other beer or
44 alcoholic beverages are prohibited. This bill provides that if a
45 limited brewery licensee additionally is the holder of a bonded
46 warehouse bottling license, the licensee would be permitted to sell
47 at retail and offer for sampling on the brewery premises product

1 that was brewed at the brewery and subsequently bottled and stored
2 off-site pursuant to the bonded warehouse bottling license.

3 Current law provides that the holder of a craft distillery may sell
4 product at retail and offer product for sampling purposes at the
5 distillery location. Under this bill, if the craft distillery licensee
6 additionally is the holder of a bonded warehouse bottling license,
7 the licensee would be permitted to sell at retail and offer for
8 sampling on the distillery premises product that was manufactured
9 at the distillery and subsequently bottled and stored off-site
10 pursuant to the bonded warehouse bottling license. The bill further
11 provides that product sold at retail for consumption on the licensed
12 premises or offered for sampling purposes may be mixed into a
13 cocktail with non-alcoholic beverages, mixers, or garnishings.

14 Finally, the bill provides that the holder of a craft distillery
15 license would be authorized to manufacture distilled and redistilled
16 alcoholic beverages. Current law only authorizes the manufacture of
17 distilled alcoholic beverages.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 3673

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 16, 2021

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 3673.

As reported by the committee, this bill authorizes limited brewery and craft distillery licensees to sell and offer samples of their product that was bottled and stored in a bonded warehouse.

Current law authorizes the holder of a limited brewery license to sell its product at retail and to offer samples at the brewery location. Retail sales or sampling of other beer or alcoholic beverages are prohibited. Under the bill, a limited brewery licensee which also holds a bonded warehouse bottling license is authorized to sell at retail and offer for sampling on the brewery premises product that was brewed at the brewery and subsequently bottled and stored off-site pursuant to the bonded warehouse bottling license.

Current law also authorizes the holder of a craft distillery license to sell product at retail and offer product for samples at the distillery location. The bill similarly authorizes craft distillery licensees which also holds a bonded warehouse bottling license to sell at retail and offer for sampling on the distillery premises product that was manufactured at the distillery and subsequently bottled and stored off-site pursuant to the bonded warehouse bottling license.

The bill further authorizes craft distillery licensees to mix its product into a cocktail with non-alcoholic beverages, mixers, or garnishings.

Finally, the bill authorizes craft distillery licensees to also manufacture redistilled alcoholic beverages. Current law only authorizes the manufacture of distilled alcoholic beverages.

ASSEMBLY, No. 6219

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED DECEMBER 9, 2021

Sponsored by:

Assemblyman JOHN J. BURZICHELLI
District 3 (Cumberland, Gloucester and Salem)

Co-Sponsored by:

Assemblywoman Murphy

SYNOPSIS

Authorizes limited breweries and craft distilleries to sell at retail and offer for sampling purposes product bottled and stored off-site under certain circumstances and authorizes craft distilleries to manufacture redistilled alcoholic beverages.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/13/2021)

A6219 BURZICHELLI

2

1 AN ACT concerning limited breweries and craft distilleries and
2 amending R.S.33:1-10.

3

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

6

7 1. R.S.33:1-10 is amended to read as follows:

8 33:1-10. Class A licenses shall be subdivided and classified as
9 follows:

10 Plenary brewery license. 1a. The holder of this license shall
11 be entitled, subject to rules and regulations, to brew any malt
12 alcoholic beverages and to sell and distribute his products to
13 wholesalers and retailers licensed in accordance with this chapter,
14 and to sell and distribute without this State to any persons pursuant
15 to the laws of the places of such sale and distribution, and to
16 maintain a warehouse; provided, however, that the delivery of this
17 product by the holder of this license to retailers licensed under this
18 title shall be from inventory in a warehouse located in this State
19 which is operated under a plenary brewery license. The fee for this
20 license shall be \$10,625.

21 Limited brewery license. 1b. The holder of this license shall
22 be entitled, subject to rules and regulations, to brew any malt
23 alcoholic beverages in a quantity to be expressed in said license,
24 dependent upon the following fees and not in excess of 300,000
25 barrels of 31 fluid gallons capacity per year and to sell and
26 distribute this product to wholesalers and retailers licensed in
27 accordance with this chapter, and to sell and distribute without this
28 State to any persons pursuant to the laws of the places of such sale
29 and distribution, and to maintain a warehouse; provided, however,
30 that the delivery of this product by the holder of this license to
31 retailers licensed under this title shall be from inventory in a
32 warehouse located in this State which is operated under a limited
33 brewery license. The holder of this license shall be entitled to sell
34 this product at retail to consumers on the licensed premises of the
35 brewery for consumption on the premises, but only in connection
36 with a tour of the brewery, or for consumption off the premises in a
37 quantity of not more than 15.5 fluid gallons per person, and to offer
38 samples for sampling purposes only pursuant to an annual permit
39 issued by the director. If the holder of this license holds a bonded
40 warehouse bottling license issued pursuant to subsection 5 of this
41 section, product brewed in accordance with this subsection and
42 transferred to a bonded warehouse for bottling and storage may be
43 sold at retail and offered for sampling on the licensed premises of
44 the brewery by the holder of this license. The holder of this license

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.

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1 shall not sell food or operate a restaurant on the licensed premises.

2 The fee for this license shall be graduated as follows:

3 to so brew not more than 50,000 barrels of 31 liquid gallons
4 capacity per annum, \$1,250;

5 to so brew not more than 100,000 barrels of 31 fluid gallons
6 capacity per annum, \$2,500;

7 to so brew not more than 200,000 barrels of 31 fluid gallons
8 capacity per annum, \$5,000;

9 to so brew not more than 300,000 barrels of 31 fluid gallons
10 capacity per annum, \$7,500.

11 For the purposes of this subsection, "sampling" means the selling
12 at a nominal charge or the gratuitous offering of an open container
13 not exceeding four ounces of any malt alcoholic beverage. For the
14 purposes of this subsection, "product" means any malt alcoholic
15 beverage that is produced on the premises licensed under this
16 subsection.

17 Restricted brewery license. 1c. The holder of this license shall be
18 entitled, subject to rules and regulations, to brew any malt alcoholic
19 beverages in a quantity to be expressed in such license not in excess
20 of 10,000 barrels of 31 gallons capacity per year. Notwithstanding
21 the provisions of R.S.33:1-26, the director shall issue a restricted
22 brewery license only to a person or an entity which has identical
23 ownership to an entity which holds a plenary retail consumption
24 license issued pursuant to R.S.33:1-12, provided that such plenary
25 retail consumption license is operated in conjunction with a
26 restaurant regularly and principally used for the purpose of
27 providing meals to its customers and having adequate kitchen and
28 dining room facilities, and that the licensed restaurant premises is
29 immediately adjoining the premises licensed under this subsection.
30 The holder of this license shall be entitled to sell or deliver the
31 product to that restaurant premises. The holder of this license also
32 shall be entitled to sell and distribute the product to wholesalers
33 licensed in accordance with this chapter. The fee for this license
34 shall be \$1,250, which fee shall entitle the holder to brew up to
35 1,000 barrels of 31 liquid gallons per annum. The licensee also shall
36 pay an additional \$250 for every additional 1,000 barrels of 31 fluid
37 gallons produced. The fee shall be paid at the time of application
38 for the license, and additional payments based on barrels produced
39 shall be paid within 60 days following the expiration of the license
40 term upon certification by the licensee of the actual gallons brewed
41 during the license term. No more than 10 restricted brewery
42 licenses shall be issued to a person or entity which holds an interest
43 in a plenary retail consumption license. If the governing body of the
44 municipality in which the licensed premises will be located should
45 file a written objection, the director shall hold a hearing and may
46 issue the license only if the director finds that the issuance of the
47 license will not be contrary to the public interest. All fees related to
48 the issuance of both licenses shall be paid in accordance with

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1 statutory law. The provisions of this subsection shall not be
2 construed to limit or restrict the rights and privileges granted by the
3 plenary retail consumption license held by the holder of the
4 restricted brewery license issued pursuant to this subsection.

5 The holder of this license shall be entitled to offer samples of its
6 product for promotional purposes at charitable or civic events off
7 the licensed premises pursuant to an annual permit issued by the
8 director.

9 For the purposes of this subsection, "sampling" means the selling
10 at a nominal charge or the gratuitous offering of an open container
11 not exceeding four ounces of any malt alcoholic beverage product.
12 For the purposes of this subsection, "product" means any malt
13 alcoholic beverage that is produced on the premises licensed under
14 this subsection.

15 Plenary winery license. 2a. Provided that the holder is
16 engaged in growing and cultivating grapes or fruit used in the
17 production of wine on at least three acres on, or adjacent to, the
18 winery premises, the holder of this license shall be entitled, subject
19 to rules and regulations, to produce any fermented wines, and to
20 blend, fortify and treat wines, and to sell and distribute his products
21 to wholesalers licensed in accordance with this chapter and to
22 churches for religious purposes, and to sell and distribute without
23 this State to any persons pursuant to the laws of the places of such
24 sale and distribution, and to maintain a warehouse, and to sell his
25 products at retail to consumers on the licensed premises of the
26 winery for consumption on or off the premises and to offer samples
27 for sampling purposes only. The fee for this license shall be \$938.
28 A holder of this license who produces not more than 250,000
29 gallons per year shall also have the right to sell and distribute his
30 products to retailers licensed in accordance with this chapter, except
31 that the holder of this license shall not use a common carrier for
32 such distribution. The fee for this additional privilege shall be
33 graduated as follows: a licensee who manufactures more than
34 150,000 gallons, but not in excess of 250,000 gallons per annum,
35 \$1,000; a licensee who manufactures more than 100,000 gallons,
36 but not in excess of 150,000 gallons per annum, \$500; a licensee
37 who manufactures more than 50,000 gallons, but not in excess of
38 100,000 gallons per annum, \$250; a licensee who manufactures
39 50,000 gallons or less per annum, \$100. A holder of this license
40 who produces not more than 250,000 gallons per year shall have the
41 right to sell such wine at retail in original packages in 15
42 salesrooms apart from the winery premises for consumption on or
43 off the premises and for sampling purposes for consumption on the
44 premises, at a fee of \$250 for each salesroom. Licensees shall not
45 jointly control and operate salesrooms. Additionally, the holder of
46 this license who produces not more than 250,000 gallons per year
47 may ship not more than 12 cases of wine per year, subject to
48 regulation, to any person within or without this State over 21 years

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1 of age for personal consumption and not for resale. A case of wine
2 shall not exceed a maximum of nine liters. A copy of the original
3 invoice shall be available for inspection by persons authorized to
4 enforce the alcoholic beverage laws of this State for a minimum
5 period of three years at the licensed premises of the winery. For the
6 purposes of this subsection, "sampling" means the selling at a
7 nominal charge or the gratuitous offering of an open container not
8 exceeding one and one-half ounces of any wine.

9 A holder of this license who produces not more than 250,000
10 gallons per year shall not own, either in whole or in part, or hold,
11 either directly or indirectly, any interest in a winery that produces
12 more than 250,000 gallons per year. In addition, a holder of this
13 license who produces more than 250,000 gallons per year shall not
14 own, either in whole or in part, or hold, either directly or indirectly,
15 any interest in a winery that produces not more than 250,000
16 gallons per year. For the purposes of this subsection, "product"
17 means any wine that is produced, blended, fortified, or treated by
18 the licensee on its licensed premises situated in the State of New
19 Jersey. For the purposes of this subsection, "wine" shall include
20 "hard cider" and "mead" as defined in this section.

21 Farm winery license. 2b. The holder of this license shall
22 be entitled, subject to rules and regulations, to manufacture any
23 fermented wines and fruit juices in a quantity to be expressed in
24 said license, dependent upon the following fees and not in excess of
25 50,000 gallons per year and to sell and distribute his products to
26 wholesalers and retailers licensed in accordance with this chapter
27 and to churches for religious purposes and to sell and distribute
28 without this State to any persons pursuant to the laws of the places
29 of such sale and distribution, and to maintain a warehouse and to
30 sell at retail to consumers for consumption on or off the licensed
31 premises and to offer samples for sampling purposes only. The
32 license shall be issued only when the winery at which such
33 fermented wines and fruit juices are manufactured is located and
34 constructed upon a tract of land exclusively under the control of the
35 licensee, provided that the licensee is actively engaged in growing
36 and cultivating an area of not less than three acres on or adjacent to
37 the winery premises and on which are growing grape vines or fruit
38 to be processed into wine or fruit juice; and provided, further, that
39 for the first five years of the operation of the winery such fermented
40 wines and fruit juices shall be manufactured from at least 51
41 percent grapes or fruit grown in the State and that thereafter they
42 shall be manufactured from grapes or fruit grown in this State at
43 least to the extent required for labeling as "New Jersey Wine" under
44 the applicable federal laws and regulations. The containers of all
45 wine sold to consumers by such licensee shall have affixed a label
46 stating such information as shall be required by the rules and
47 regulations of the Director of the Division of Alcoholic Beverage
48 Control. The fee for this license shall be graduated as follows: to so

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1 manufacture between 30,000 and 50,000 gallons per annum, \$375;
2 to so manufacture between 2,500 and 30,000 gallons per annum,
3 \$250; to so manufacture between 1,000 and 2,500 gallons per
4 annum, \$125; to so manufacture less than 1,000 gallons per annum,
5 \$63. No farm winery license shall be held by the holder of a plenary
6 winery license or be situated on a premises licensed as a plenary
7 winery.

8 The holder of this license shall also have the right to sell and
9 distribute his products to retailers licensed in accordance with this
10 chapter, except that the holder of this license shall not use a
11 common carrier for such distribution. The fee for this additional
12 privilege shall be \$100. The holder of this license shall have the
13 right to sell his products in original packages at retail to consumers
14 in 15 salesrooms apart from the winery premises for consumption
15 on or off the premises, and for sampling purposes for consumption
16 on the premises, at a fee of \$250 for each salesroom. Licensees
17 shall not jointly control and operate salesrooms. Additionally, the
18 holder of this license may ship not more than 12 cases of wine per
19 year, subject to regulation, to any person within or without this
20 State over 21 years of age for personal consumption and not for
21 resale. A case of wine shall not exceed a maximum of nine liters. A
22 copy of the original invoice shall be available for inspection by
23 persons authorized to enforce the alcoholic beverage laws of this
24 State for a minimum period of three years at the licensed premises
25 of the winery. For the purposes of this subsection, "sampling"
26 means the selling at a nominal charge or the gratuitous offering of
27 an open container not exceeding one and one-half ounces of any
28 wine.

29 A holder of this license who produces not more than 250,000
30 gallons per year shall not own, either in whole or in part, or hold,
31 either directly or indirectly, any interest in a winery that produces
32 more than 250,000 gallons per year.

33 Unless otherwise indicated, for the purposes of this subsection,
34 with respect to farm winery licenses, "manufacture" means the
35 vinification, aging, storage, blending, clarification, stabilization and
36 bottling of wine or juice from New Jersey fruit to the extent
37 required by this subsection.

38 For the purposes of this subsection, "wine" shall include "hard
39 cider" and "mead" as defined in this section.

40 Wine blending license. 2c. The holder of this license shall
41 be entitled, subject to rules and regulations, to blend, treat, mix, and
42 bottle fermented wines and fruit juices with non-alcoholic
43 beverages, and to sell and distribute his products to wholesalers and
44 retailers licensed in accordance with this chapter, and to sell and
45 distribute without this State to any persons pursuant to the laws of
46 the places of such sale and distribution, and to maintain a
47 warehouse. The fee for this license shall be \$625.

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1 For the purposes of this subsection, "wine" shall include "hard
2 cider" and "mead" as defined in this section.

3 Instructional winemaking facility license. 2d. The
4 holder of this license shall be entitled, subject to rules and
5 regulations, to instruct persons in and provide them with the
6 opportunity to participate directly in the process of winemaking and
7 to directly assist such persons in the process of winemaking while
8 in the process of instruction on the premises of the facility. The
9 holder of this license also shall be entitled to manufacture wine on
10 the premises not in excess of an amount of 10 percent of the wine
11 produced annually on the premises of the facility, which shall be
12 used only to replace quantities lost or discarded during the
13 winemaking process, to maintain a warehouse, and to offer samples
14 produced by persons who have received instruction in winemaking
15 on the premises by the licensee for sampling purposes only on the
16 licensed premises for the purpose of promoting winemaking for
17 personal or household use or consumption. Wine produced on the
18 premises of an instructional winemaking facility shall be used,
19 consumed or disposed of on the facility's premises or distributed
20 from the facility's premises to a person who has participated
21 directly in the process of winemaking for the person's personal or
22 household use or consumption. The holder of this license may sell
23 mercantile items traditionally associated with winemaking and
24 novelty wearing apparel identified with the name of the
25 establishment licensed under the provisions of this section. The
26 holder of this license may use the licensed premises for an event or
27 affair, including an event or affair at which a plenary retail
28 consumption licensee serves alcoholic beverages in compliance
29 with all applicable statutes and regulations promulgated by the
30 director. The fee for this license shall be \$1,000. For the purposes
31 of this subsection, "sampling" means the gratuitous offering of an
32 open container not exceeding one and one-half ounces of any wine.

33 For the purposes of this subsection, "wine" shall include "hard
34 cider" and "mead" as defined in this section.

35 Out-of-State winery license. 2e. Provided that the
36 applicant does not produce more than 250,000 gallons of wine per
37 year, the holder of a valid winery license issued in any other state
38 may make application to the director for this license. The holder of
39 this license shall have the right to sell and distribute his products to
40 wholesalers licensed in accordance with this chapter and to sell
41 such wine at retail in original packages in 16 salesrooms apart from
42 the winery premises for consumption on or off the premises at a fee
43 of \$250 for each salesroom. Licensees shall not jointly control and
44 operate salesrooms. The annual fee for this license shall be \$938.
45 A copy of a current license issued by another state shall accompany
46 the application. The holder of this license also shall have the right
47 to sell and distribute his products to retailers licensed in accordance
48 with this chapter, except that the holder of this license shall not use

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1 a common carrier for such distribution. The fee for this additional
2 privilege shall be graduated as follows: a licensee who
3 manufactures more than 150,000 gallons, but not in excess of
4 250,000 gallons per annum, \$1,000; a licensee who manufactures
5 more than 100,000 gallons, but not in excess of 150,000 gallons per
6 annum, \$500; a licensee who manufactures more than 50,000
7 gallons, but not in excess of 100,000 gallons per annum, \$250; a
8 licensee who manufactures 50,000 gallons or less per annum, \$100.
9 Additionally, the holder of this license may ship not more than 12
10 cases of wine per year, subject to regulation, to any person within or
11 without this State over 21 years of age for personal consumption
12 and not for resale. A case of wine shall not exceed a maximum of
13 nine liters. A copy of the original invoice shall be available for
14 inspection by persons authorized to enforce the alcoholic beverage
15 laws of this State for a minimum period of three years at the
16 licensed premises of the winery.

17 The licensee shall collect from the customer the tax due on the
18 sale pursuant to the "Sales and Use Tax Act," P.L.1966, c.30
19 (C.54:32B-1 et seq.) and shall pay the tax due on the delivery of
20 alcoholic beverages pursuant to the "Alcoholic beverage tax law,"
21 R.S.54:41-1 et seq. The Director of the Division of Taxation in the
22 Department of the Treasury shall promulgate such rules and
23 regulations necessary to effectuate the provisions of this paragraph,
24 and may provide by regulation for the co-administration of the tax
25 due on the delivery of alcoholic beverages pursuant to the
26 "Alcoholic beverage tax law," R.S.54:41-1 et seq. with the
27 administration of the tax due on the sale pursuant to the "Sales and
28 Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.).

29 A holder of this license who produces not more than 250,000
30 gallons per year shall not own, either in whole or in part, or hold,
31 either directly or indirectly, any interest in a winery that produces
32 more than 250,000 gallons per year.

33 For the purposes of this subsection, "wine" shall include "hard
34 cider" and "mead" as defined in this section.

35 Cidery and meadery license. 2f. The holder of this
36 license shall be entitled, subject to rules and regulations, to
37 manufacture hard cider and mead and to sell and distribute these
38 products to wholesalers and retailers licensed in accordance with
39 this chapter, and to sell and distribute without this State to any
40 persons pursuant to the laws of the places of such sale and
41 distribution, and to maintain a warehouse. The holder of this
42 license shall be entitled to sell these products at retail to consumers
43 on the licensed premises for consumption on or off the premises and
44 to offer samples for sampling purposes only. The holder of this
45 license shall be permitted to offer for sale or make the gratuitous
46 offering of packaged crackers, chips, nuts, and similar snacks to
47 consumers, but shall not operate a restaurant on the licensed
48 premises. The fee for this license shall be \$938.

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1 The holder of this license shall be entitled to manufacture hard
2 cider in a quantity not to exceed 50,000 barrels of 31 fluid gallons
3 capacity per year. With respect to the sale and distribution of hard
4 cider to a wholesaler, the licensee shall be subject to the same
5 statutory and regulatory requirements as a brewer, and hard cider
6 shall be considered a malt alcoholic beverage, for the purposes of
7 the "Malt Alcoholic Beverage Practices Act," P.L.2005, c.243
8 (C.33:1-93.12 et seq.). The holder of this license shall not directly
9 ship hard cider either within or without this State.

10 The holder of this license shall be entitled to manufacture not
11 more than 250,000 gallons of mead per year. The holder of this
12 license may ship not more than 12 cases of mead per year, subject
13 to regulation, to any person within or without this State over 21
14 years of age for personal consumption and not for resale. A case of
15 mead shall not exceed a maximum of nine liters. A copy of the
16 original invoice shall be available for inspection by persons
17 authorized to enforce the alcoholic beverage laws of this State for a
18 minimum period of three years at the licensed premises.

19 As used in this subsection:

20 "Hard cider" means a fermented alcoholic beverage derived
21 primarily from apples, pears, apple juice concentrate and water, or
22 pear juice concentrate and water, which may include spices, herbs,
23 honey, or other flavoring, and which contains at least one half of
24 one percent but less than eight and one half percent alcohol by
25 volume.

26 "Mead" means an alcoholic beverage primarily made from
27 honey, water, and yeast, and which may contain fruit, fruit juices,
28 spices, or herbs added before or after fermentation has completed,
29 except that the ratio of fermentable sugars from fruit or fruit juices
30 shall not exceed 49 percent of the total fermentable sugars used to
31 produce mead.

32 "Sampling" means the selling at a nominal charge or the
33 gratuitous offering of an open container not exceeding four ounces
34 of hard cider or mead produced on the licensed premises.

35 Plenary distillery license. 3a. The holder of this license shall
36 be entitled, subject to rules and regulations, to manufacture any
37 distilled alcoholic beverages and rectify, blend, treat and mix, and
38 to sell and distribute his products to wholesalers and retailers
39 licensed in accordance with this chapter, and to sell and distribute
40 without this State to any persons pursuant to the laws of the places
41 of such sale and distribution, and to maintain a warehouse. The fee
42 for this license shall be \$12,500.

43 Limited distillery license. 3b. The holder of this license shall
44 be entitled, subject to rules and regulations, to manufacture and
45 bottle any alcoholic beverages distilled from fruit juices and rectify,
46 blend, treat, mix, compound with wine and add necessary
47 sweetening and flavor to make cordial or liqueur, and to sell and
48 distribute to wholesalers and retailers licensed in accordance with

1 this chapter, and to sell and distribute without this State to any
2 persons pursuant to the laws of the places of such sale and
3 distribution and to warehouse these products. The fee for this
4 license shall be \$3,750.

5 Supplementary limited distillery license. 3c. The
6 holder of this license shall be entitled, subject to rules and
7 regulations, to bottle and rebottle, in a quantity to be expressed in
8 said license, dependent upon the following fees, alcoholic
9 beverages distilled from fruit juices by such holder pursuant to a
10 prior plenary or limited distillery license, and to sell and distribute
11 his products to wholesalers and retailers licensed in accordance
12 with this chapter, and to sell and distribute without this State to any
13 persons pursuant to the laws of the places of such sale and
14 distribution, and to maintain a warehouse. The fee for this license
15 shall be graduated as follows: to so bottle and rebottle not more
16 than 5,000 wine gallons per annum, \$313; to so bottle and rebottle
17 not more than 10,000 wine gallons per annum, \$625; to so bottle
18 and rebottle without limit as to amount, \$1,250.

19 Craft distillery license. 3d. The holder of this license shall
20 be entitled, subject to rules and regulations, to manufacture not
21 more than 20,000 gallons of distilled or redistilled alcoholic
22 beverages, to rectify, blend, treat and mix distilled or redistilled
23 alcoholic beverages, to sell and distribute this product to
24 wholesalers and retailers licensed in accordance with this chapter,
25 and to sell and distribute without this State to any persons pursuant
26 to the laws of the places of such sale and distribution, and to
27 maintain a warehouse. The holder of this license shall be entitled to
28 sell this product at retail to consumers on the licensed premises of
29 the distillery for consumption on the premises, but only in
30 connection with a tour of the distillery, and for consumption off the
31 premises in a quantity of not more than five liters per person. In
32 addition, the holder of this license may offer any person not more
33 than three samples per calendar day for sampling purposes only. For
34 the purposes of this subsection, "sampling" means the gratuitous
35 offering of an open container not exceeding one-half ounce serving
36 of distilled alcoholic beverage produced on the distillery premises.
37 If the holder of this license holds a bonded warehouse bottling
38 license issued pursuant to subsection 5 of this section, product
39 manufactured in accordance with this subsection and transferred to
40 a bonded warehouse for bottling and storage may be sold at retail
41 and offered for sampling on the licensed premises of the distillery
42 by the holder of this license. Product sold at retail for consumption
43 on the licensed premises or offered for sampling purposes may be
44 mixed into a cocktail with non-alcoholic beverages, mixers, or
45 garnishings. Nothing in this subsection shall be deemed to permit
46 the direct shipment of distilled spirits either within or without this
47 State.

1 The holder of this license shall not sell food or operate a
2 restaurant on the licensed premises. A holder of this license who
3 certifies that not less than 51 percent of the raw materials used in
4 the production of distilled alcoholic beverages under this section are
5 grown in this State or purchased from providers located in this State
6 may, consistent with all applicable federal laws and regulations,
7 label these distilled alcoholic beverages as "New Jersey Distilled."
8 The fee for this license shall be \$938.

9 Rectifier and blender license. 4. The holder of this
10 license shall be entitled, subject to rules and regulations, to rectify,
11 blend, treat and mix distilled alcoholic beverages, and to fortify,
12 blend, and treat fermented alcoholic beverages, and prepare
13 mixtures of alcoholic beverages, and to sell and distribute his
14 products to wholesalers and retailers licensed in accordance with
15 this chapter, and to sell and distribute without this State to any
16 persons pursuant to the laws of the places of such sale and
17 distribution, and to maintain a warehouse. The fee for this license
18 shall be \$7,500.

19 Bonded warehouse bottling license. 5. The holder of this
20 license shall be entitled, subject to rules and regulations, to bottle
21 alcoholic beverages in bond on behalf of all persons authorized by
22 federal and State law and regulations to withdraw alcoholic
23 beverages from bond. The fee for this license shall be \$625. This
24 license shall be issued only to persons holding permits to operate
25 Internal Revenue bonded warehouses pursuant to the laws of the
26 United States.

27 The provisions of section 21 of P.L.2003, c.117 amendatory of
28 this section shall apply to licenses issued or transferred on or after
29 July 1, 2003, and to license renewals commencing on or after July
30 1, 2003.

31 (cf: P.L.2017, c.80, s.1)

32

33 2. This act shall take effect immediately.

34

35

36

STATEMENT

37

38 This bill provides that the holder of a limited brewery license or
39 a craft distillery license would be permitted to sell and sample beer
40 or distilled spirits, as the case may be, on the licensed premises that
41 was bottled and stored off-site, under certain circumstances.

42 Current law provides that a limited brewery licensee is permitted
43 to sell product at retail and to offer product for sampling purposes
44 at the brewery location. Retail sales or sampling of other beer or
45 alcoholic beverages are prohibited. This bill provides that if a
46 limited brewery licensee additionally is the holder of a bonded
47 warehouse bottling license, the licensee would be permitted to sell
48 at retail and offer for sampling on the brewery premises product

1 that was brewed at the brewery and subsequently bottled and stored
2 off-site pursuant to the bonded warehouse bottling license.

3 Current law provides that the holder of a craft distillery may sell
4 product at retail and offer product for sampling purposes at the
5 distillery location. Under this bill, if the craft distillery licensee
6 additionally is the holder of a bonded warehouse bottling license,
7 the licensee would be permitted to sell at retail and offer for
8 sampling on the distillery premises product that was manufactured
9 at the distillery and subsequently bottled and stored off-site
10 pursuant to the bonded warehouse bottling license. The bill further
11 provides that product sold at retail for consumption on the licensed
12 premises or offered for sampling purposes may be mixed into a
13 cocktail with non-alcoholic beverages, mixers, or garnishings.

14 Finally, the bill provides that the holder of a craft distillery
15 license would be authorized to manufacture distilled and redistilled
16 alcoholic beverages. Current law only authorizes the manufacture of
17 distilled alcoholic beverages.

ASSEMBLY OVERSIGHT, REFORM AND FEDERAL
RELATIONS COMMITTEE

STATEMENT TO
ASSEMBLY, No. 6219

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 13, 2021

The Assembly Oversight, Reform and Federal Relations Committee reports favorably and with committee amendments Assembly Bill No. 6219.

This bill provides that the holder of a limited brewery license or a craft distillery license would be permitted to sell and sample beer or distilled spirits, as the case may be, on the licensed premises that was bottled and stored off-site, under certain circumstances.

Current law provides that a limited brewery licensee is permitted to sell product at retail and to offer product for sampling purposes at the brewery location. Retail sales or sampling of other beer or alcoholic beverages are prohibited. This bill provides that if a limited brewery licensee additionally is the holder of a bonded warehouse bottling license, the licensee would be permitted to sell at retail and offer for sampling on the brewery premises product that was brewed at the brewery and subsequently bottled and stored off-site pursuant to the bonded warehouse bottling license.

Current law provides that the holder of a craft distillery may sell product at retail and offer product for sampling purposes at the distillery location. Under this bill, if the craft distillery licensee additionally is the holder of a bonded warehouse bottling license, the licensee would be permitted to sell at retail and offer for sampling on the distillery premises product that was manufactured at the distillery and subsequently bottled and stored off-site pursuant to the bonded warehouse bottling license.

Finally, the bill provides that the holder of a craft distillery license would be authorized to manufacture distilled and redistilled alcoholic beverages. Current law only authorizes the manufacture of distilled alcoholic beverages.

COMMITTEE AMENDMENTS:

The committee amended the bill to remove originally added language that provided that product sold at retail for consumption on the licensed premises or offered for sampling purposes may be mixed into a cocktail with non-alcoholic beverages, mixers, or garnishings.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 6219

with Assembly Floor Amendments
(Proposed by Assemblyman BURZICHELLI)

ADOPTED: DECEMBER 20, 2021

Assembly Bill No. 6219 (1R) authorizes limited breweries and craft distilleries to sell at retail and offer for sampling purposes product bottled and stored off-site under certain circumstances and authorizes craft distilleries to manufacture redistilled alcoholic beverages. These Assembly amendments remove the provision that authorizes craft distilleries to manufacture redistilled alcoholic beverages.

Governor Murphy Takes Action on Legislation

01/18/2022

TRENTON – Governor Murphy today signed the following bills:

S-384/A-1964 (Weinberg, Singleton/Stanley, Munoz, McKeon, Sumter, Lampitt, Vainieri Huttle, Wimberly, Mosquera, Downey, Chiaravalloti) – Expands training for judges, law enforcement officers and assistant county prosecutors concerning handling of domestic violence cases

S-386/A-1763 (Weinberg, Singleton/Munoz, Vainieri Huttle, Downey, Mosquera, Lampitt, Benson) - Establishes mandatory domestic violence training for municipal prosecutors

S-396/A-4903 (Weinberg, Addiego/Johnson, Mukherji) – Adjusts statute of limitations on damage claim for construction defect in common interest communities

S-705/A-1077 (Ruiz, Cunningham/Speight, Vainieri Huttle, Downey) – Requires DOH to develop and implement plan to improve access to perinatal mood and anxiety disorder screening

SCS for S-844 and 2533/ACS for A-4635 (Pou, Greenstein/Zwicker, Lopez) – Revises reporting requirements for charitable organizations and non-profit corporations

S-867/A-2316 (Pou/Jimenez, Giblin, Johnson) – Permits physical therapists to perform dry needling under certain circumstances

S-896/A-2396 (Pou, Turner/Wimberly, Timberlake, Murphy) – Expands Office of Public Defender representation of juveniles; repeals section 4 of P.L.1968, c.371

S-969WGR/ACS for A-2687 (Ruiz, Turner/Mazzeo, Lampitt, Moen) – Establishes loan redemption program for certain teachers to redeem loan amounts received under New Jersey College Loans to Assist State Students Loan Program through employment in certain schools; makes annual appropriation of \$1 million

S-994/A-6248 (Sweeney, Singleton/Lopez) – Requires State agencies and political subdivisions to make good faith effort to purchase five percent of goods and services from Central Nonprofit Agency

SCS for S-1016/ACS for A-2070 (Smith, Bateman/Calabrese, Mukherji, Benson) – Restricts use of neonicotinoid pesticides

S-1020/AS for ACS for A-1184 and 4414 (Ruiz, Gopal/Zwicker, Conaway, Verrelli, Caputo) – Requires School Report Card to include demographic breakdown of students who receive disciplinary actions; requires Commissioner of Education to establish Statewide database concerning certain disciplinary actions

S-1559/A-1659 (Scutari, Diegnan/Quijano, Bramnick, Mukherji, Sumter, Downey, Dancer) – “New Jersey Insurance Fair Conduct Act”

S-1771/A-1489 (Madden, Turner/Moriarty, Mosquera, Vainieri Huttle) – Expressly prohibits invasive examination of unconscious patient by health care practitioner without patient’s prior informed written consent

S-2160wGR/A-5701 (Sweeney, Oroho, Singer/Carter, Lampitt, Jasey) – Creates special education unit within the Office of Administrative Law; requires annual report

SCS for S-2515/ACS for A-4676 (Smith, Greenstein/Quijano, Jasey, McKeon) – Establishes postconsumer recycled content requirements for rigid plastic containers, glass containers, paper and plastic carryout bags, and plastic trash bags; prohibits sale of polystyrene loose fill packaging

S-2723/A-2614 (Sweeney, Turner/Murphy, Benson, Timberlake) – “21st Century Integrated Digital Experience Act”

S-2830/A-5291 (Ruiz, Singleton/Quijano) – Requires educator preparation program to report passing rates of students who complete certain tests and to disseminate information on test fee waiver programs, and permits collection of student fee for certain testing costs

S-2835/A-5292 (Ruiz, Cunningham/Quijano, Lampitt, Jasey) – Requires compilation of data and issuance of annual reports on New Jersey teacher workforce

S-2921/A-5554 (Gopal, Greenstein/Houghtaling, Downey, Mukherji) – Allows municipalities to designate outdoor areas upon which people may consume alcoholic beverages

S-3009/A-4847 (Vitale, Gopal, Gill/Vainieri Huttle, Quijano, Verrelli) – Authorizes expanded provision of harm reduction services to distribute sterile syringes and provide certain support services to persons who use drugs intravenously

S-3081/A-5219 (Singleton/McKeon, Dunn) – Repeals law concerning excess rates and charges for title insurance; makes agreement to use services of title or settlement service company subject to attorney review

S-3164/A-4987 (Gopal, Singleton/Houghtaling, Vainieri Huttle, Giblin) – Creates NJ Legislative Youth Council

S-3265/A-5074 (Diegnan, Greenstein/DeAngelo, Dancer, Mukherji) – Permits members of SPRS to purchase service credit for prior public employment with federal government or another state

S-3342/A-5463 (Codey, Singleton/Jasey, Giblin, Timberlake) – Directs NJT to erect statue in honor of A. Philip Randolph; appropriates \$90,000

S-3465/A-4336 (Oroho, Sweeney/Houghtaling, Space) – Directs Department of Agriculture to pay annual premiums to enrolled dairy farmers for certain coverage under the federal Dairy Margin Coverage Program; appropriates \$125,000

S-3488wGR/A-5537 (Sweeney, Gopal, O'Scanlon/Burzichelli, Dancer, Spearman) – Modifies certain procedures pertaining to school district regionalization; establishes grant program for cost reimbursement of conducting regionalization feasibility studies; and provides financial incentives for regionalization

S-3493/A-5458 (Vitale, Gill/Vainieri Huttle, Mukherji, McKnight) – Permits expungement of possession or distribution of hypodermic syringe or needle offense in cases of previous expungement; repeals criminal offense of possession of syringe

S-3539/A5409 (T. Kean, Gopal/Houghtaling) – Directs DEP to establish grant program for local governments to support development of community gardens

S-3594/A-5509 (Singleton, Scutari/Zwicker, Reynolds-Jackson, Verrelli) – Provides that in personal

injury or wrongful death lawsuits, calculations of lost or impaired earnings capacity not be reduced because of race, ethnicity, gender identity or expression, or affectional or sexual orientation

S-3672/A-6009 (Singleton, Turner, Moen, Johnson, McKnight) – Permits exemption from civil service examination requirement for entry-level law enforcement officers, sheriff's officers, and State and county correctional police officers; permits hiring or appointment of such officers under certain conditions, and makes appropriation

S-3673/A-6219 (Gopal, Greenstein/Burzichelli) – Authorizes limited breweries and craft distilleries to sell at retail and offer for sampling purposes product bottled and stored off-site under certain circumstances

S-3685/A-5576 (Ruiz, Codey/Jasey, Lampitt, Mukherji) – Permits teacher and professional staff member who provides special services retired from TPAF to return to employment for up to two years without reenrollment in TPAF if employment commences during 2021-2022 and 2022-2023 school years

S-3707/A-5673 (Vitale, Ruiz/Vainieri Huttle, Downey, Zwicker) – Repeals statute criminalizing sexual penetration while infected with venereal disease or HIV under certain circumstances; requires that in prosecutions for endangering another by creating substantial risk of transmitting infectious disease, name of defendant and other person be kept confidential

S-3764/A-3369 (Gopal, Weinberg/Johnson, Stanley, Karabinchak) – Establishes Commission on Asian American Heritage in DOE

S-3810/ACS for A-5862 (Sweeney, Addiego, Greenstein/Benson, Quijano) – "Responsible Collective Negotiations Act"

S-3968/A-5930 (Singleton, Beach/Sumter, Karabinchak) – Increases purchasing threshold permitting Director of Division of Purchase and Property to delegate authority to agencies; increases bid advertising threshold on certain contracts by same scale

S-3975/A-5963 (Greenstein, Oroho/Benson, Vainieri Huttle, DeAngelo) – Establishes requirements to commence screening newborn infants for congenital cytomegalovirus infection; establishes public awareness campaign

S-4004wGR/A-5950 (Weinberg, Greenstein/Sumter, Benson, Reynolds-Jackson) – Establishes database of certain appointed positions and elected offices

S-4020/A-5867 (Gopal, Cunningham/Chiaravalloti, Jasey, Carter) – Expands bonding authority of New Jersey Educational Facilities Authority to permit financing for general funding needs at New Jersey's institutions of higher education

S-4021/A-6100 (Gopal, Ruiz/Mukherji, Jasey, Timberlake, Stanley) – Requires school districts to provide instruction on history and contributions of Asian Americans and Pacific Islanders as part of implementation of New Jersey Student Learning Standards in Social Studies

S-4043/A-6005 (Cunningham/Jasey, Greenwald) – Raises statutory threshold for certain public bidding, permits bidder disqualification due to prior negative experience, adds exemptions to public bidding requirement under "State College Contracts Law," and establishes process for cooperative pricing system

S-4063/A-6220 (Sweeney/Giblin, Egan) – Removes New Jersey Maritime Pilot and Docking Pilot Commission from appropriations act provision that limits compensation and health benefits; clarifies PERS and SHBP eligibility for members of commission

S-4068/ACS for A-6110 and 6185 (Sarlo, Oroho/Benson, Mukherji, Bramnick) – Revises elective pass-through entity business alternative income tax

S-4074wGR/A-6000 (Ruiz, Beach/Verrelli, Lampitt, Carter) – Allows alternative evaluation in place of basic skills testing requirements for certain teacher certification

SCS for S-4102/A-6230 (Sweeney, Ruiz/Benson, Mejia, Zwicker) – Establishes Direct Support Professional Career Development Program; appropriates \$1,000,000

S-4128/A-6231 (Sweeney, Pou/Houghtaling, Conaway, Dancer) – Requires that only fruits and vegetables grown and packaged in NJ may be labeled by food retailers as local to State

S-4207/A-6119 (Sweeney, Beach/Mukherji, Egan, Pintor Marin) – Concerns apprenticeship programs of public works contractors

S-4210/A-6062 (Sweeney, Greenstein/Greenwald, McKnight, Mukherji) – Requires EDA to establish loan program to assist certain businesses with funding to provide reasonable accommodations for employees with disabilities

S-4211/A-6228 (Sweeney, Corrado/Benson, Speight, Zwicker) – Establishes county college-based adult centers for transition for individuals with developmental disabilities; makes annual appropriation of \$4.5 million

S-4218/A-6256 (Scutari/Reynolds-Jackson, Wimberly, Mukherji) – Appropriates \$2 million to CRDA to support costs associated with hosting NAACP National Convention in Atlantic City

S-4233/A-6229 (Scutari, Gopal/Mukherji, Jimenez) – Limits fees charged to patients and authorized third parties for copies of medical and billing records

S-4252/A-6182 (Madden/Murphy, Chaparro) – Limits extension of mandatory retirement to 90 days from State Police Retirement System during emergencies

A-259/S-2224 (DeAngelo, Mukherji, Benson/Gopal, Pennacchio) – Provides civil service preference to military service members who did not serve in theater of operation but received campaign or expedition medal

A-798/S-52 (Verrelli, Vainieri Huttel, Armato/Singer, Greenstein) – Establishes local drug overdose fatality review teams

A-802/S-1352 (Verrelli, Reynolds-Jackson, Murphy/Turner, Pou) – Requires certain retailers to train employees on gift card fraud

A-862wGR/S-962 (Chiaravalloti, Karabinchak/Pennacchio, Pou) – Permits municipalities to refund excess property taxes paid by a taxpayer who wins an assessment appeal as a property tax credit

A-953/S-4031 (Karabinchak, Houghtaling/Pou) – Requires architects disclose insurance coverage

ACS for A-998 and 2349/S-4312 (Moen, Downey, Houghtaling, Benson, Vainieri Huttel/Ruiz, Beach, Singleton) – The “New Jersey Social Innovation Act”; establishes social innovation loan pilot program and study commission within EDA

A-1121/S-1871 (Murphy, Dancer, Stanley/Lagana, Pennacchio) – Upgrades certain crimes of misrepresenting oneself as member or veteran of US Armed Forces or organized militia

A-1219wGR/S-1054 (Chaparro, McKnight/Stack) – Requires owner notification of rabies testing protocol prior to testing of owner’s animal for rabies

A-1229wGR/S-2161 (Schaer, Mosquera, Tucker, Lampitt, Vainieri Huttle, Quijano, Wimberly, Pintor Marin, Jasey/Turner, Singleton) – Requires DCA to make information on homeless prevention programs and services available on its Internet website

A-1293/S-3977 (Greenwald, Burzichelli, Mukherji/Greenstein, Gopal) – Establishes advisory council for the brewery, cidery, meadery, and distillery industries in NJ and provides for funding through certain alcoholic beverage tax receipts

A-1663/S-1842 (Quijano, Vainieri Huttle, Karabinchak/Cryan, Scutari) – Establishes “New Jersey Nonprofit Security Grant Program”

A-2186/S-1599 (Mukherji, Chaparro, McKnight/Codey, Pou) – Establishes Statewide database of beds in shelters for the homeless

A-2360/S-3285 (Chaparro, Karabinchak, Johnson/Greenstein, Stack) – Requires electric public utility to charge residential rate for service used by residential customer for electric vehicle charging at charging stations within certain designated parking spaces

A-2685wGR/S-4209 (Armato, Mazzeo, Mukherji/Stack) – Concerns information on property condition disclosure statement

A-2772/S-1040 (Downey, Houghtaling, Benson/Gopal) – Authorizes certain Medicaid recipients residing on post-secondary school campus to participate remotely in meetings of non-medical nature regarding Medicaid benefits

A-2877/S-1149 (Dancer, Vainieri Huttle, Reynolds-Jackson/Ruiz) – Requires registration of certain vacant and abandoned properties with municipalities and provides enforcement tools related to maintenance of these properties

A-3007/S-3127 (Lampitt, Dunn, Benson/Lagana, Gopal) – Requires institutions of higher education to provide students with access to mental health care programs and services and to establish a hotline to provide information concerning the availability of those services

A-3392/S-1219 (Reynolds-Jackson, Timberlake, Jasey/Turner, Beach) – Requires student representative be appointed to each board of education of school district and board of trustees of charter school that includes grades nine through 12

A-3804/S-1590 (Armato, Murphy, S. Kean/Beach, A.M. Bucco) – Designates 9-1-1 operators or dispatchers as 9-1-1 first responder dispatchers

A-3870/S-2807 (Karabinchak, Johnson, Mukherji/Greenstein, Pou) – “Defense Against Porch Pirates Act”; amends theft statute

A-3950wGR/S-3180 (Verrelli, Benson, Zwicker/Greenstein, Turner) – Prohibits employer use of tracking device in vehicle operated by employee under certain circumstances

A-4002wGR/S-2257 (Caputo, Dancer, Murphy/Gopal, Sarlo) – Allows deduction of promotional gaming credit from gross revenue on sports wagering

A-4232/S-4231 (Houghtaling, Dancer, Wirths/Oroho, Smith) – Creates program in Department of Agriculture for deer fencing on certain farmland

A-4238/S-2561 (Chiaravalloti, Schaer, Benson/Gopal, Singer) – Establishes minimum Medicaid reimbursement rate for adult medical day care services

A-4241/S-2894 (Downey, Vainieri Huttle, Murphy/Pou) – Requires DHS to conduct biennial survey of SNAP experience

ACS for A-4253/S-3233 (Conaway, Pinkin, Jimenez/Cryan) – Requires certain electronic medical programs to include demographic data entry feature; requires laboratories to record certain patients' demographic information; requires certain hospitals and laboratories to implement cultural competency training program

A-4366/S-2801 (Taliaferro, Sumter, Mukherji/Pou, Greenstein) – Requires Police Training Commission to contract with crisis intervention training center to provide mental health training to police officers and establish curriculum specific to persons experiencing economic crisis or substance use disorder

A-4434wGR/S-2716 (Greenwald, Lampitt, Mukherji/Beach, Ruiz) – Establishes Student Wellness Grant Program in DOE

A-4478/S2759 (Vainieri Huttle, Speight, Schepisi, DeCroce/Vitale, Madden) – Establishes additional requirements for DOH to assess sanctions and impose penalties on nursing homes; revises reporting requirements for nursing homes

A-4569/S-3535 (Reynolds-Jackson, Benson, Karabinchak/Turner) – Requires BPU, electric power suppliers, and gas suppliers to publish certain information related to filing of customer complaints

ACS for A-4655/S-3595 (Reynolds-Jackson, Wimberly, Carter/Turner) – Limits police presence at polling places and ballot drop boxes; prohibits electioneering within 100 feet of ballot drop box

A-4771/S-2951 (Downey, Armato, Mukherji/Gopal, Singleton) – Expands offenses eligible for expungement upon successful discharge from drug court

A-4856/S-3094 (Lampitt, Benson, Caputo/Ruiz, Beach) – Requires Internet websites and web services of school districts, charter schools, renaissance schools, and the Marie H. Katzenbach School for the Deaf to be accessible to persons with disabilities

A-5033wGR/S-3279 (Benson, Dancer, Verrelli/Gopal) – Authorizes motor vehicle dealers to sell motor vehicles online and obtain electronic signatures for motor vehicle transactions

ACS for A-5075wGR/S-4001 (Burzichelli, Dancer, Johnson/Sweeney, A.M. Bucco) – Removes Fire Museum and Fallen Firefighters Memorial from auspices of DEP and establishes museum as independent organization; makes \$200,000 supplemental appropriation

A-5160/S-3324 (DeAngelo, Conaway, Zwicker/Smith, Bateman) – Establishes minimum energy and water efficiency standards for certain products sold, offered for sale, or leased in the State

A-5294/S-3418 (Speight, Vainieri Huttle, Verrelli/Gopal, Madden) – Provides fast track hiring and advancement employment opportunities by State for persons with significant disabilities

A-5296/S-3426 (Speight, Vainieri Huttle, McKnight/T. Kean, Schepisi) – Provides for employment by State of certain persons with disabilities

A-5322/S-3433 (Mosquera, Vainieri Huttle, DePhillips/Cruz-Perez, T. Kean) – Provides for process to vacate and expunge certain arrests, charges, complaints, convictions, other dispositions, and DNA

records, associated with violations by certain human trafficking victims

A-5336wGR/S-3441 (Benson, Freiman, Vainieri Huttie/Diegnan, Madden) – Requires DHS to establish payment programs for purchase of transportation services from private sector and government transportation service providers

A-5439/S-3760 (Caputo, Dancer, Murphy/Gopal, Beach) – Changes deadline for New Jersey Racing Commission's annual report from end of calendar year to end of State fiscal year

A-5694/S-3783 (Houghtaling, Downey, Dancer/Gopal, Madden) – Permits dependents of military member to enroll in school district in advance of military member's relocation to district

A-5814/S-3851 (Swain, Tully, Benson/Lagana, Diegnan) – Creates Office of School Bus Safety in Department of Education; appropriates \$200,000

A-5864wGR/S-3939 (Speight, Pintor Marin, Chaparro, McKnight, DeAngelo, Bergen/Gopal, Cryan) – Allows law enforcement officers to review body worn camera recordings prior to creating initial report

A-5997/S-4084 (Coughlin, Lopez/Sweeney, O'Scanlon) – Removes requirement for Legislature, DOE, free public libraries, and historical societies to purchase "Manual of the Legislature of New Jersey"

A-6012/S-4076 (Moen, Murphy, Freiman/Sarlo, Gopal) – Appropriates \$500,000 for USS New Jersey Commissioning Committee to support commissioning of boat and assigned personnel

A-6020/S-4114 (Conaway, Jimenez, Vainieri Huttie/Codey) – Establishes requirements for certain tobacco product retailers to stock and sell nicotine replacement therapy products

A-6060/S-4272 (Tucker, Caputo, Mukherji/Cunningham) – Makes supplemental appropriation of \$8 million to DHS to increase reimbursement for funeral, burial, and crematory services provided to certain beneficiaries of Work First New Jersey and Supplemental Security Income programs

A-6073/S-4140 (Verrelli/Vitale) – Temporarily waives certain basic life support services crewmember requirements

A-6093/S-4201 (Stanley, Benson, Timberlake/Greenstein, Gopal) – Mandates periodic cancer screening examinations for firefighters enrolled in SHBP

A-6108wGR/S-4247 (DeAngelo, Egan, Houghtaling/Madden) – Updates licenses offered by and certain licensure requirements from Board of Examiners of Electrical Contractors

A-6132/S-4235 (Schaer, Greenwald, Conaway/Singer, Gopal) – Permits volunteer paramedics to operate within mobile intensive care units

A-6133/S-4251 (Bramnick, Mukherji, Downey/Scutari) – Allows certain persons not yet appointed as administrator of estate to pursue lawsuit for damages for wrongful death on behalf of deceased's survivors

A-6150/S-4119 (DeAngelo, Karabinchak, Wirths/Oroho, Pou) – Revises penalties for transfer of certain professional and occupational licenses

A-6159/S-4236 (Coughlin, McKnight/Vitale, Ruiz) – Revises and renames Office of Food Insecurity Advocate

A-6162/S-4246 (Benson, Stanley/Gopal) – Requires certain motor vehicle dealers to maintain certain

requirements for business premises

A-6205/S-4270 (Coughlin, McKeon/Pou) – Amends certain requirements concerning insurance holding companies

A-6206wGR/S-4260 (Wimberly/Diegnan, Oroho) – Codifies right of real estate broker-salespersons and salespersons to define relationship with broker as one between broker and independent contractor or employee and enforces current and previous written agreements addressing relationship

A-6207/S-4222 (Greenwald, Lampitt, Benson/Sweeney) – Eliminates requirement for DOE to set certain tuition rates for approved private schools for students with disabilities in certain cases

A-6208/S-4151 (Mosquera, DeAngelo, Armato/Greenstein, Cruz-Perez) – Appropriates \$60,940,361 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for farmland preservation purposes

A-6209/S-4154 (Freiman, Spearman, Egan/Turner, Oroho) – Appropriates \$18 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for county planning incentive grants for farmland preservation purposes

A-6210/S-4150 (Taliaferro, Moriarty, Burzichelli/Cruz-Perez, Greenstein) – Appropriates \$4.5 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for municipal planning incentive grants for farmland preservation purposes

A-6211/S-4149 (Houghtaling, Reynolds-Jackson, Downey/Cruz-Perez, Greenstein) – Appropriates \$440,240 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for grants to certain nonprofit organizations for farmland preservation purposes

A-6212/S-4148 (Jimenez, Swain, Timberlake/Codey, Corrado) – Appropriates \$54.5 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

A-6213/S-4155 (Kennedy, Carter, Tully/Bateman, Smith) – Appropriates \$49.932 million from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects, and Green Acres Program administrative costs

A-6214/S-4153 (Danielsen, Zwicker, Conaway/Greenstein, Smith) – Appropriates \$80,539,578 from constitutionally dedicated CBT revenues and various Green Acres funds to DEP for local government open space acquisition and park development projects

A-6215/S-4152 (Stanley, Murphy, Jasey/Smith, Greenstein) – Appropriates \$14,687,510 to DEP from constitutionally dedicated CBT revenues for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes

A-6246/S-4295 (Karabinchak/Sweeney) – Concerns changes in control of hotels and disruptions of hotel services

A-6257/S-4311 (McKnight/Sweeney, Singleton) – Imposes surcharge on casino hotel occupancies to fund public safety services

A-6262/S-4314 (Burzichelli, Reynolds-Jackson, Mukherji/Sweeney, Oroho, T. Kean) – Permits PERS retiree to return to employment in NJ Legislature after retirement under certain circumstances

A-6263/S-4315 (Burzichelli, Reynolds-Jackson, Mukherji/Sweeney, Oroho, T. Kean) – Appropriates \$2 million to Legislative Services Commission

Governor Murphy pocket vetoed the following bills:

S-73/A-4580 (Bateman, Sarlo/Zwicker, Thomson, McKnight) – Establishes requirements for sale of cottage food products

S-995/A-6172 (Sweeney, A.M. Bucco/Downey, McKnight) – Requires DOLWD and DHS to conduct assessment of community rehabilitation programs and community businesses

S-1934/A-1158 (Sweeney, Pou, Cryan/Freiman, Lopez, Murphy) – Authorizes use of disability benefits for transportation provided by transportation network companies

S-2679/A-1979 (Beach, Smith/Stanley, Lopez, Kennedy) – Requires paint producers to implement or participate in paint stewardship program

S-2768/A-4664 (Singleton, Ruiz/Reynolds-Jackson, Stanley, Sumter) – Authorizes State Chief Diversity Officer to conduct disparity study concerning utilization of minority-owned and women-owned businesses in State procurement process

S-3458/A-6245 (Lagana, Gopal/Coughlin, Jimenez, Mukherji) – Revises out-of-network arbitration process

S-3529/A-5442 (Addiego, Diegnan/DeAngelo, Dancer, Dunn) – Clarifies that member of SPRS may receive accidental disability benefit under certain circumstances

S-3715/A-5804 (Cryan/Quijano, Mukherji) – Modifies certain definitions related to transient accommodation taxes and fees

S-4189/A-6112 (Vitale, Cruz-Perez/Lopez) – Permits PERS retiree to return to elective public office after retirement under certain circumstances

A-1073/S-3432 (Speight, Pintor Marin, McKnight, Timberlake/Ruiz, O'Scanlon) – Establishes requirements to screen certain people who are pregnant and who have given birth for preeclampsia

A-1269/S-3490 (Greenwald, Giblin, Calabrese/Cruz-Perez, Beach) – Eliminates one percent tax on purchasers of Class 4A commercial property transferred for consideration in excess of \$1 million

A-4958/S-3740 (Tully, Armato, Zwicker/Lagana, Oroho) – Provides temporary exemption under sales and use tax for winterizing certain small business operations

A-5334/S-3442 (Lopez, Mazzeo, Stanley/Diegnan, T. Kean) – Requires DOT, NJT, and DHS to study and implement transportation mobility and accessibility improvements for persons with autism and developmental disabilities

A-5484/S-3817 (Dancer, Caputo, Houghtaling/Lagana) – Requires New Jersey Racing Commission to adopt procedures to enforce internal controls; requires annual audit

A-6033/S-4194 (Bramnick/Sweeney, T. Kean) – Classifies golf caddies as independent contractors for purposes of State employment laws

A-6157/S-4202 (Speight, Moen/Ruiz, Beach) – Prohibits circumventing intergovernmental transfer process for law enforcement officers in certain circumstances

