

[First Reprint]

SENATE, No. 3915

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JUNE 10, 2021

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

Co-Sponsored by:

Senator Turner

SYNOPSIS

Makes permanent temporary enactment allowing certain alcoholic beverage retailers to sell and deliver alcoholic beverages and mixed drinks; establishes certain sale and delivery privileges for alcoholic beverage manufacturers.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on June 21, 2021, with amendments.



(Sponsorship Updated As Of: 12/2/2021)

1 AN ACT concerning the sale and delivery of alcoholic beverages,
2 supplementing Title 33 of the Revised Statutes, and amending
3 R.S.33:1-10 and R.S.33:1-12.

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

7
8 1. (New section) a. The holder of a plenary retail consumption
9 license, plenary retail consumption license used in connection with
10 a hotel or motel, seasonal retail consumption license issued
11 pursuant to R.S.33:1-12, or concessionaire permit shall be entitled
12 to:

13 (1) sell on the licensed or permitted premises for consumption
14 off the licensed or permitted premises any alcoholic beverages in
15 original containers or in any other closed and sealed containers or
16 any distilled alcoholic beverages mixed or blended with other
17 alcoholic or nonalcoholic beverages in closed and sealed
18 containers; and

19 (2) deliver, by common carrier or otherwise, directly to the
20 residence of a consumer within this State who is 21 years of age or
21 older for consumption off the licensed or permitted premises any
22 alcoholic beverages in original containers or in any other closed and
23 sealed containers or any distilled alcoholic beverages mixed or
24 blended with other alcoholic or nonalcoholic beverages in closed
25 and sealed containers.

26 b. Containers in which alcoholic beverages are sold or
27 delivered pursuant to this section shall be affixed with a tamper
28 evident seal and may be of any size, except that containers, other
29 than original containers, in which any distilled alcoholic beverages
30 mixed or blended with other alcoholic or nonalcoholic beverages
31 are sold or delivered pursuant to this section shall have a maximum
32 capacity of 16 fluid ounces.

33
34 ¹**[2.** (New section) a. As used in this act, “out-of-State craft
35 manufacturer” means the holder of license issued by another state
36 that entitles the licensee to manufacture:

37 (1) malt alcoholic beverages in a quantity not to exceed 300,000
38 barrels of 31 fluid gallons capacity of malt alcoholic beverages per
39 year;

40 (2) wine in a quantity not to exceed 250,000 gallons per year;

41 (3) hard cider in a quantity not to exceed 50,000 barrels of 31
42 fluid gallons capacity per year;

43 (4) mead in a quantity not to exceed 250,000 gallons per year; or

44 (5) distilled alcoholic beverages in a quantity not to exceed
45 20,000 gallons per year.

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 SBA committee amendments adopted June 21, 2021.

1 b. An out-of-State craft manufacturer shall be entitled to deliver
2 the licensee's products directly to the residence of a consumer within
3 this State who is 21 years of age or older in original containers for
4 personal consumption and not for resale. A license holder shall
5 transport alcoholic beverages pursuant to this section in a vehicle
6 owned, operated, or otherwise used in connection with the licensed
7 premises.

8 c. Any vehicle used by an out-of-State craft manufacturer to
9 deliver alcoholic beverages pursuant to this section shall display a
10 transit insignia issued by the director pursuant to R.S.33:1-28.

11 d. Nothing in this section shall be construed to limit or otherwise
12 affect sales or direct shipping privileges otherwise established by
13 statute, rule, or regulation for any license issued pursuant to R.S.33:1-
14 10.】¹

15
16 ¹【3.】2.¹ R.S.33:1-10 is amended to read as follows:

17 33:1-10. Class A licenses shall be subdivided and classified as
18 follows:

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

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

1 The holder of this license shall be entitled to deliver the licensee's
2 products directly to the residence of a consumer within ¹or without¹
3 this State who is 21 years of age or older in original containers for
4 personal consumption and not for resale. A license holder shall
5 transport alcoholic beverages pursuant to this section in a vehicle
6 owned, operated, or otherwise used in connection with the licensed
7 premises. The license holder shall transport alcoholic beverages in a
8 vehicle that displays a transit insignia issued pursuant to R.S.33:1-28.

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

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

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

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

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

18 ¹The holder of this license also shall be entitled to ship by
19 common carrier not more than 12 cases of malt alcoholic beverages
20 per year, subject to regulation, to any person within or without this
21 State over 21 years of age for personal consumption and not for resale.
22 A case of malt alcoholic beverages shall not exceed 288 ounces. A
23 copy of the original invoice shall be available for inspection by
24 persons authorized to enforce the alcoholic beverage laws of this State
25 for a minimum period of three years at the licensed premises of the
26 brewery. The fee for this additional shipping privilege shall be
27 \$500.¹

28 For the purposes of this subsection, "sampling" means the selling
29 at a nominal charge or the gratuitous offering of an open container not
30 exceeding four ounces of any malt alcoholic beverage. For the
31 purposes of this subsection, "product" means any malt alcoholic
32 beverage that is produced on the premises licensed under this
33 subsection.

34 Restricted brewery license. 1c. The holder of this license shall be
35 entitled, subject to rules and regulations, to brew any malt alcoholic
36 beverages in a quantity to be expressed in such license not in excess of
37 10,000 barrels of 31 gallons capacity per year. Notwithstanding the
38 provisions of R.S.33:1-26, the director shall issue a restricted brewery
39 license only to a person or an entity which has identical ownership to
40 an entity which holds a plenary retail consumption license issued
41 pursuant to R.S.33:1-12, provided that such plenary retail consumption
42 license is operated in conjunction with a restaurant regularly and
43 principally used for the purpose of providing meals to its customers
44 and having adequate kitchen and dining room facilities, and that the
45 licensed restaurant premises is immediately adjoining the premises
46 licensed under this subsection. The holder of this license shall be
47 entitled to sell or deliver the product to that restaurant premises. The

1 holder of this license also shall be entitled to sell and distribute the
2 product to wholesalers licensed in accordance with this chapter. The
3 fee for this license shall be \$1,250, which fee shall entitle the holder to
4 brew up to 1,000 barrels of 31 liquid gallons per annum. The licensee
5 also shall pay an additional \$250 for every additional 1,000 barrels of
6 31 fluid gallons produced. The fee shall be paid at the time of
7 application for the license, and additional payments based on barrels
8 produced shall be paid within 60 days following the expiration of the
9 license term upon certification by the licensee of the actual gallons
10 brewed during the license term. No more than 10 restricted brewery
11 licenses shall be issued to a person or entity which holds an interest in
12 a plenary retail consumption license. If the governing body of the
13 municipality in which the licensed premises will be located should file
14 a written objection, the director shall hold a hearing and may issue the
15 license only if the director finds that the issuance of the license will
16 not be contrary to the public interest. All fees related to the issuance of
17 both licenses shall be paid in accordance with statutory law. The
18 provisions of this subsection shall not be construed to limit or restrict
19 the rights and privileges granted by the plenary retail consumption
20 license held by the holder of the restricted brewery license issued
21 pursuant to this subsection.

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

25 For the purposes of this subsection, "sampling" means the selling
26 at a nominal charge or the gratuitous offering of an open container not
27 exceeding four ounces of any malt alcoholic beverage product. For the
28 purposes of this subsection, "product" means any malt alcoholic
29 beverage that is produced on the premises licensed under this
30 subsection.

31 ¹Out-of-State brewery license. 1d. Provided that the applicant
32 does not produce more than 300,000 barrels of 31 fluid gallons
33 capacity per year, the holder of a brewery license issued in any other
34 state may make application to the director for this license. The holder
35 of this license who produces not more than 300,000 barrels of 31 fluid
36 gallons capacity per year may ship by common carrier not more than
37 12 cases malt alcoholic beverages per year, subject to regulation, to
38 any person within or without this State over 21 years of age for
39 personal consumption and not for resale. A case of malt alcoholic
40 beverages shall not exceed 288 ounces. A copy of the original invoice
41 shall be available for inspection by persons authorized to enforce the
42 alcoholic beverage laws of this State for a minimum period of three
43 years at the licensed premises of the brewery. A copy of a current
44 license issued by another state shall accompany the application. The
45 fee for this privilege shall be \$500.

46 The licensee shall collect from the customer the tax due on the sale
47 pursuant to the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1

1 et seq.) and shall pay the tax due on the delivery of alcoholic
2 beverages pursuant to the "Alcoholic beverage tax law," R.S.54:41-1
3 et seq. The Director of the Division of Taxation in the Department of
4 the Treasury shall promulgate such rules and regulations necessary to
5 effectuate the provisions of this paragraph, and may provide by
6 regulation for the co-administration of the tax due on the delivery of
7 alcoholic beverages pursuant to the "Alcoholic beverage tax law,"
8 R.S.54:41-1 et seq. with the administration of the tax due on the sale
9 pursuant to the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1
10 et seq.).¹

11 Plenary winery license. 2a. Provided that the holder is
12 engaged in growing and cultivating grapes or fruit used in the
13 production of wine on at least three acres on, or adjacent to, the winery
14 premises, the holder of this license shall be entitled, subject to rules
15 and regulations, to produce any fermented wines, and to blend, fortify
16 and treat wines, and to sell and distribute his products to wholesalers
17 licensed in accordance with this chapter and to churches for religious
18 purposes, and to sell and distribute without this State to any persons
19 pursuant to the laws of the places of such sale and distribution, and to
20 maintain a warehouse, and to sell his products at retail to consumers
21 on the licensed premises of the winery for consumption on or off the
22 premises and to offer samples for sampling purposes only. The fee for
23 this license shall be \$938. A holder of this license who produces not
24 more than 250,000 gallons per year shall also have the right to sell and
25 distribute his products to retailers licensed in accordance with this
26 chapter, except that the holder of this license shall not use a common
27 carrier for such distribution. The fee for this additional privilege shall
28 be graduated as follows: a licensee who manufactures more than
29 150,000 gallons, but not in excess of 250,000 gallons per annum,
30 \$1,000; a licensee who manufactures more than 100,000 gallons, but
31 not in excess of 150,000 gallons per annum, \$500; a licensee who
32 manufactures more than 50,000 gallons, but not in excess of 100,000
33 gallons per annum, \$250; a licensee who manufactures 50,000 gallons
34 or less per annum, \$100.

35 A holder of this license who produces not more than 250,000
36 gallons per year shall have the right to sell such wine at retail in
37 original packages in 15 salesrooms apart from the winery premises for
38 consumption on or off the premises and for sampling purposes for
39 consumption on the premises, at a fee of \$250 for each salesroom.
40 Licensees shall not jointly control and operate salesrooms.

41 The holder of this license who produces not more than 250,000
42 gallons per year shall be entitled to deliver the licensee's products
43 directly to the residence of a consumer within ¹[or without]¹ this State
44 who is 21 years of age or older in original containers for personal
45 consumption and not for resale. A license holder shall transport
46 alcoholic beverages pursuant to this section in a vehicle owned,
47 operated, or otherwise used in connection with the licensed premises.

1 The license holder shall transport alcoholic beverages in a vehicle that
2 displays a transit insignia issued pursuant to R.S.33:1-28.

3 Additionally, the holder of this license who produces not more
4 than 250,000 gallons per year may ship **'[by common carrier]'** not
5 more than 12 cases of wine per year, subject to regulation, to any
6 person within or without this State over 21 years of age for personal
7 consumption and not for resale. A case of wine shall not exceed a
8 maximum of nine liters. A copy of the original invoice shall be
9 available for inspection by persons authorized to enforce the alcoholic
10 beverage laws of this State for a minimum period of three years at the
11 licensed premises of the winery. For the purposes of this subsection,
12 "sampling" means the selling at a nominal charge or the gratuitous
13 offering of an open container not exceeding one and one-half ounces
14 of any wine.

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

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

1 fruit grown in this State at least to the extent required for labeling as
2 "New Jersey Wine" under the applicable federal laws and regulations.
3 The containers of all wine sold to consumers by such licensee shall
4 have affixed a label stating such information as shall be required by
5 the rules and regulations of the Director of the Division of Alcoholic
6 Beverage Control. The fee for this license shall be graduated as
7 follows: to so manufacture between 30,000 and 50,000 gallons per
8 annum, \$375; to so manufacture between 2,500 and 30,000 gallons per
9 annum, \$250; to so manufacture between 1,000 and 2,500 gallons per
10 annum, \$125; to so manufacture less than 1,000 gallons per annum,
11 \$63. No farm winery license shall be held by the holder of a plenary
12 winery license or be situated on a premises licensed as a plenary
13 winery.

14 The holder of this license shall also have the right to sell and
15 distribute his products to retailers licensed in accordance with this
16 chapter, except that the holder of this license shall not use a common
17 carrier for such distribution. The fee for this additional privilege shall
18 be \$100. The holder of this license shall have the right to sell his
19 products in original packages at retail to consumers in 15 salesrooms
20 apart from the winery premises for consumption on or off the
21 premises, and for sampling purposes for consumption on the premises,
22 at a fee of \$250 for each salesroom. Licensees shall not jointly control
23 and operate salesrooms.

24 The holder of this license shall be entitled to deliver the licensee's
25 products directly to the residence of a consumer within ¹[or without]¹
26 this State who is 21 years of age or older in original containers for
27 personal consumption and not for resale. A license holder shall
28 transport alcoholic beverages pursuant to this section in a vehicle
29 owned, operated, or otherwise used in connection with the licensed
30 premises. The license holder shall transport alcoholic beverages in a
31 vehicle that displays a transit insignia issued pursuant to R.S.33:1-28.

32 Additionally, the holder of this license may ship ¹[by common
33 carrier]¹ not more than 12 cases of wine per year, subject to
34 regulation, to any person within or without this State over 21 years of
35 age for personal consumption and not for resale. A case of wine shall
36 not exceed a maximum of nine liters. A copy of the original invoice
37 shall be available for inspection by persons authorized to enforce the
38 alcoholic beverage laws of this State for a minimum period of three
39 years at the licensed premises of the winery. For the purposes of this
40 subsection, "sampling" means the selling at a nominal charge or the
41 gratuitous offering of an open container not exceeding one and one-
42 half ounces of any wine.

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

1 Unless otherwise indicated, for the purposes of this subsection,
2 with respect to farm winery licenses, "manufacture" means the
3 vinification, aging, storage, blending, clarification, stabilization and
4 bottling of wine or juice from New Jersey fruit to the extent required
5 by this subsection.

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

8 Wine blending license. 2c. The holder of this license shall be
9 entitled, subject to rules and regulations, to blend, treat, mix, and bottle
10 fermented wines and fruit juices with non-alcoholic beverages, and to
11 sell and distribute his products to wholesalers and retailers licensed in
12 accordance with this chapter, and to sell and distribute without this
13 State to any 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 \$625.

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

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

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

3 Out-of-State winery license. 2e. Provided that the
4 applicant does not produce more than 250,000 gallons of wine per
5 year, the holder of a valid winery license issued in any other state may
6 make application to the director for this license. The holder of this
7 license shall have the right to sell and distribute his products to
8 wholesalers licensed in accordance with this chapter and to sell such
9 wine at retail in original packages in 16 salesrooms apart from the
10 winery premises for consumption on or off the premises at a fee of
11 \$250 for each salesroom. Licensees shall not jointly control and
12 operate salesrooms. The annual fee for this license shall be \$938. A
13 copy of a current license issued by another state shall accompany the
14 application. The holder of this license also shall have the right to sell
15 and distribute his products to retailers licensed in accordance with this
16 chapter, except that the holder of this license shall not use a common
17 carrier for such distribution. The fee for this additional privilege shall
18 be graduated as follows: a licensee who manufactures more than
19 150,000 gallons, but not in excess of 250,000 gallons per annum,
20 \$1,000; a licensee who manufactures more than 100,000 gallons, but
21 not in excess of 150,000 gallons per annum, \$500; a licensee who
22 manufactures more than 50,000 gallons, but not in excess of 100,000
23 gallons per annum, \$250; a licensee who manufactures 50,000 gallons
24 or less per annum, \$100. Additionally, the holder of this license may
25 ship not more than 12 cases of wine per year, subject to regulation, to
26 any person within or without this State over 21 years of age for
27 personal consumption and not for resale. A case of wine shall not
28 exceed a maximum of nine liters. A copy of the original invoice shall
29 be available for inspection by persons authorized to enforce the
30 alcoholic beverage laws of this State for a minimum period of three
31 years at the licensed premises of the winery.

32 The licensee shall collect from the customer the tax due on the sale
33 pursuant to the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1
34 et seq.) and shall pay the tax due on the delivery of alcoholic
35 beverages pursuant to the "Alcoholic beverage tax law," R.S.54:41-1
36 et seq. The Director of the Division of Taxation in the Department of
37 the Treasury shall promulgate such rules and regulations necessary to
38 effectuate the provisions of this paragraph, and may provide by
39 regulation for the co-administration of the tax due on the delivery of
40 alcoholic beverages pursuant to the "Alcoholic beverage tax law,"
41 R.S.54:41-1 et seq. with the administration of the tax due on the sale
42 pursuant to the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1
43 et seq.).

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

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

3 Cidery and meadery license. 2f. The holder of this license
4 shall be entitled, subject to rules and regulations, to manufacture hard
5 cider and mead and to sell and distribute these products to wholesalers
6 and retailers licensed in accordance with this chapter, and to sell and
7 distribute without this State to any persons pursuant to the laws of the
8 places of such sale and distribution, and to maintain a warehouse. The
9 holder of this license shall be entitled to sell these products at retail to
10 consumers on the licensed premises for consumption on or off the
11 premises and to offer samples for sampling purposes only. The holder
12 of this license shall be permitted to offer for sale or make the
13 gratuitous offering of packaged crackers, chips, nuts, and similar
14 snacks to consumers, but shall not operate a restaurant on the licensed
15 premises. The fee for this license shall be \$938.

16 The holder of this license shall be entitled to manufacture hard
17 cider in a quantity not to exceed 50,000 barrels of 31 fluid gallons
18 capacity per year. With respect to the sale and distribution of hard
19 cider to a wholesaler, the licensee shall be subject to the same statutory
20 and regulatory requirements as a brewer, and hard cider shall be
21 considered a malt alcoholic beverage, for the purposes of the "Malt
22 Alcoholic Beverage Practices Act," P.L.2005, c.243 (C.33:1-93.12 et
23 seq.). **【The holder of this license shall not directly ship hard cider
24 either within or without this State.】** The holder of this license shall be
25 entitled to manufacture not more than 250,000 gallons of mead per
26 year.

27 The holder of this license shall be entitled to deliver the licensee's
28 products directly to the residence of a consumer within¹【or without】¹
29 this State who is 21 years of age or older in original containers for
30 personal consumption and not for resale. A license holder shall
31 transport alcoholic beverages pursuant to this section in a vehicle
32 owned, operated, or otherwise used in connection with the licensed
33 premises. The license holder shall transport alcoholic beverages in a
34 vehicle that displays a transit insignia issued pursuant to R.S.33:1-28.

35 The holder of this license may ship ¹**【by common carrier】¹** not
36 more than 12 cases of mead and 12 cases of cider per year, subject to
37 regulation, to any person within or without this State over 21 years of
38 age for personal consumption and not for resale. A case of mead or
39 cider shall not exceed a maximum of nine liters. A copy of the original
40 invoice for the sale of mead or cider shall be available for inspection
41 by persons authorized to enforce the alcoholic beverage laws of this
42 State for a minimum period of three years at the licensed premises.
43 The fee for this additional shipping privilege shall be \$500. As used in
44 this subsection:

45 "Hard cider" means a fermented alcoholic beverage derived
46 primarily from apples, pears, apple juice concentrate and water, or
47 pear juice concentrate and water, which may include spices, herbs,

1 honey, or other flavoring, and which contains at least one half of one
2 percent but less than eight and one half percent alcohol by volume.

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

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

11 ¹Out-of-State cidery and meadery license. 1d. Provided that the
12 applicant does not produce more than 50,000 barrels of 31 fluid
13 gallons capacity of cider per year or not more than 250,000 gallons of
14 mead per year, the holder of a cidery or meadery license issued in any
15 other state may make application to the director for this license. The
16 holder of this license may ship not more than 12 cases of mead and 12
17 cases of cider per year, subject to regulation, to any person within or
18 without this State over 21 years of age for personal consumption and
19 not for resale. A case of mead or cider shall not exceed a maximum of
20 nine liters. A copy of the original invoice for the sale of mead or cider
21 shall be available for inspection by persons authorized to enforce the
22 alcoholic beverage laws of this State for a minimum period of three
23 years at the licensed premises. The holder of an Out-of-State winery
24 license shall not be entitled to acquire this license. A copy of a current
25 license issued by another state shall accompany the application. The
26 annual fee for this license shall be \$500.

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

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

1 Limited distillery license. 3b. The holder of this license shall be
2 entitled, subject to rules and regulations, to manufacture and bottle any
3 alcoholic beverages distilled from fruit juices and rectify, blend, treat,
4 mix, compound with wine and add necessary sweetening and flavor to
5 make cordial or liqueur, and to sell and distribute 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 the
8 places of such sale and distribution and to warehouse these products.
9 The fee for this license shall be \$3,750.

10 Supplementary limited distillery license. 3c. The holder of this
11 license shall be entitled, subject to rules and regulations, to bottle and
12 rebottle, in a quantity to be expressed in said license, dependent upon
13 the following fees, alcoholic beverages distilled from fruit juices by
14 such holder pursuant to a prior plenary or limited distillery license, and
15 to sell and distribute his products to wholesalers and retailers licensed
16 in accordance with this chapter, and to sell and distribute without this
17 State to any persons pursuant to the laws of the places of such sale and
18 distribution, and to maintain a warehouse. The fee for this license
19 shall be graduated as follows: to so bottle and rebottle not more than
20 5,000 wine gallons per annum, \$313; to so bottle and rebottle not more
21 than 10,000 wine gallons per annum, \$625; to so bottle and rebottle
22 without limit as to amount, \$1,250.

23 Craft distillery license. 3d. The holder of this license shall be
24 entitled, subject to rules and regulations, to manufacture not more than
25 20,000 gallons of distilled alcoholic beverages, to rectify, blend, treat
26 and mix distilled alcoholic beverages, to sell and distribute this
27 product to wholesalers and retailers licensed in accordance with this
28 chapter, and to sell and distribute without this State to any persons
29 pursuant to the laws of the places of such sale and distribution, and to
30 maintain a warehouse. The holder of this license shall be entitled to
31 sell this product at retail to consumers on the licensed premises of the
32 distillery for consumption on the premises, but only in connection with
33 a tour of the distillery, and for consumption off the premises in a
34 quantity of not more than five liters per person. In addition, the holder
35 of this license may offer any person not more than three samples per
36 calendar day for sampling purposes only. For the purposes of this
37 subsection, "sampling" means the gratuitous offering of an open
38 container not exceeding one-half ounce serving of distilled alcoholic
39 beverage produced on the distillery premises. **Nothing in this**
40 **subsection shall be deemed to permit the direct shipment of distilled**
41 **spirits either within or without this State.] ¹Nothing in this subsection**
42 **shall be deemed to permit the direct shipment of distilled spirits either**
43 **within or without this State.¹**

44 The holder of this license shall be entitled to deliver the licensee's
45 products directly to the residence of a consumer within ¹[or without]¹
46 this State who is 21 years of age or older in original containers for
47 personal consumption and not for resale. A license holder shall

1 transport alcoholic beverages pursuant to this section in a vehicle
2 owned, operated, or otherwise used in connection with the licensed
3 premises. The license holder shall transport alcoholic beverages in a
4 vehicle that displays a transit insignia issued pursuant to R.S.33:1-28.

5 ¹【The holder of this license may directly ship by common carrier
6 not more than twenty liters of distilled spirits for personal consumption
7 and not for resale per year to any person residing within or without this
8 State who is 21 years of age or older in original containers for personal
9 consumption and not for resale. A copy of the original invoice shall be
10 available for inspection by persons authorized to enforce the alcoholic
11 beverage laws of this State for a minimum period of three years at the
12 licensed premises of the distillery. The fee for the additional shipping
13 privilege shall be \$500.】¹

14 The holder of this license shall be entitled to sell on the licensed
15 premises for consumption ¹on the licensed premises distilled alcoholic
16 beverages that are manufactured on the licensed premises and mixed
17 or blended with other alcoholic or non-alcoholic beverages. The
18 holder of this license also shall be entitled to sell on the licensed
19 premises for consumption¹ off the licensed premises distilled alcoholic
20 beverages that are manufactured on the licensed premises and mixed
21 or blended with other alcoholic or nonalcoholic beverages and sold in
22 closed and sealed containers.

23 The holder of this license shall be entitled to sell on the licensed
24 premises for consumption off the licensed premises distilled alcoholic
25 beverages that are manufactured on the licensed premises and sold in
26 original containers and accompanied by one or more nonalcoholic
27 beverages or food stuffs that may be combined by the consumer to
28 prepare a mixed drink. Any food stuffs sold pursuant to the subsection
29 shall be sold only as a mixed drink ingredient and not as a separate
30 meal.

31 Containers in which distilled alcoholic beverages mixed with other
32 alcoholic or nonalcoholic beverages are sold pursuant to this section
33 shall be affixed with a tamper evident seal and have a maximum
34 capacity of 16 fluid ounces.

35 The holder of this license shall not sell food or operate a restaurant
36 on the licensed premises, aside from foodstuffs sold as a mixed drink
37 ingredient pursuant to this subsection. A holder of this license who
38 certifies that not less than 51 percent of the raw materials used in the
39 production of distilled alcoholic beverages under this section are
40 grown in this State or purchased from providers located in this State
41 may, consistent with all applicable federal laws and regulations, label
42 these distilled alcoholic beverages as "New Jersey Distilled." The fee
43 for this license shall be \$938.

44 ¹【Out-of-State Craft Distillery license 3e. Provided that the
45 applicant does not produce more than 20,000 gallons of distilled
46 alcoholic beverages per year, the holder of a valid distillery license

1 issued in any other state may make application to the director for this
2 license.

3 The holder of this license may ship by common carrier or
4 otherwise not more than twenty liters of distilled spirits per year,
5 subject to regulation, to any person within or without this State over 21
6 years of age for personal consumption and not for resale. A copy of
7 the original invoice shall be available for inspection by persons
8 authorized to enforce the alcoholic beverage laws of this State for a
9 minimum period of three years at the licensed premises of the
10 distillery. The fee for this license shall be \$500.

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

23 Rectifier and blender license. 4. The holder of this license
24 shall be entitled, subject to rules and regulations, to rectify, blend, treat
25 and mix distilled alcoholic beverages, and to fortify, blend, and treat
26 fermented alcoholic beverages, and prepare mixtures of alcoholic
27 beverages, and to sell and distribute his products to wholesalers and
28 retailers licensed in accordance with this chapter, and to sell and
29 distribute without this State to any persons pursuant to the laws of the
30 places of such sale and distribution, and to maintain a warehouse. The
31 fee for this license shall be \$7,500.

32 Bonded warehouse bottling license. 5. The holder of this
33 license shall be entitled, subject to rules and regulations, to bottle
34 alcoholic beverages in bond on behalf of all persons authorized by
35 federal and State law and regulations to withdraw alcoholic beverages
36 from bond. The fee for this license shall be \$625. This license shall be
37 issued only to persons holding permits to operate Internal Revenue
38 bonded warehouses pursuant to the laws of the United States.

39 The provisions of section 21 of P.L.2003, c.117 amendatory of this
40 section shall apply to licenses issued or transferred on or after July 1,
41 2003, and to license renewals commencing on or after July 1, 2003.

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

43

44 ¹**[4.] 3.** R.S. 33:1-12 is amended to read as follows:

45 33:1-12. Class C licenses shall be subdivided and classified as
46 follows:

1 Plenary retail consumption license. 1. The holder of this license
2 shall be entitled, subject to rules and regulations, to sell any
3 alcoholic beverages for consumption on the licensed premises by
4 the glass or other open receptacle, and also to sell any alcoholic
5 beverages in original containers for consumption off the licensed
6 premises; but this license shall not be issued to permit the sale of
7 alcoholic beverages in or upon any premises in which a grocery,
8 delicatessen, drug store or other mercantile business is carried on,
9 except as hereinafter provided. The holder of this license shall be
10 permitted to conduct consumer wine, beer and spirits tasting events
11 and samplings for a fee or on a complimentary basis pursuant to
12 conditions established by rules and regulations of the Division of
13 Alcoholic Beverage Control, provided however, that the holder of
14 this license complies with the terms and conditions set forth in
15 section 3 of P.L.2009, c.216 (C.33:1-12d). The holder of this
16 license shall be entitled to sell and deliver alcoholic beverages for
17 consumption off the licensed premises pursuant to section 1 of
18 P.L. , c. (C.) (pending before the Legislature as this bill).

19 Subject to such rules and regulations established from time to
20 time by the director, the holder of this license shall be permitted to
21 sell alcoholic beverages in or upon the premises in which any of the
22 following is carried on: the keeping of a hotel or restaurant
23 including the sale of mercantile items incidental thereto as an
24 accommodation to patrons; the sale, at an entertainment facility as
25 defined in R.S.33:1-1, having a seating capacity for no less than
26 4,000 patrons, of mercantile items traditionally associated with the
27 type of event or program held at the site; the sale of distillers',
28 brewers' and vintners' packaged merchandise prepacked as a unit
29 with other suitable objects as gift items to be sold only as a unit; the
30 sale of novelty wearing apparel identified with the name of the
31 establishment licensed under the provisions of this section; the sale
32 of cigars, cigarettes, packaged crackers, chips, nuts and similar
33 snacks and ice at retail as an accommodation to patrons, or the retail
34 sale of nonalcoholic beverages as accessory beverages to alcoholic
35 beverages; or, in commercial bowling establishments, the retail sale
36 or rental of bowling accessories and the retail sale from vending
37 machines of candy, ice cream and nonalcoholic beverages. The fee
38 for this license shall be fixed by the governing board or body of the
39 municipality in which the licensed premises are situated, by
40 ordinance, at not less than \$250 and not more than \$2,500. No
41 ordinance shall be enacted which shall raise or lower the fee to be
42 charged for this license by more than 20% from that charged in the
43 preceding license year or \$500.00, whichever is the lesser. The
44 governing board or body of each municipality may, by ordinance,
45 enact that no plenary retail consumption license shall be granted
46 within its respective municipality.

1 The holder of this license shall be permitted to obtain a restricted
2 brewery license issued pursuant to subsection 1c. of R.S.33:1-10
3 and to operate a restricted brewery immediately adjoining the
4 licensed premises in accordance with the restrictions set forth in
5 that subsection. All fees related to the issuance of both licenses
6 shall be paid in accordance with statutory law.

7 Seasonal retail consumption license. 2. (1) The holder of this
8 license shall be entitled, subject to rules and regulations, to sell any
9 alcoholic beverages for consumption on the licensed premises by
10 the glass or other open receptacle, and also to sell any alcoholic
11 beverages in original containers for consumption off the licensed
12 premises, during the summer season from May 1 until November
13 14, inclusive, or during the winter season from November 15 until
14 April 30, inclusive.

15 (2) In addition, the director shall issue to the holder of this
16 license, upon request by the licensee, one-day permits that shall
17 entitle the license holder to sell alcoholic beverages for
18 consumption on the licensed premises during the season when the
19 license holder is not authorized to sell alcoholic beverages pursuant
20 to subparagraph (1) of this subsection. The number of one-day
21 permits issued to a licensee pursuant to this subsection shall not
22 exceed an aggregate of 14 permits in one calendar year. A one-day
23 permit issued pursuant to this subsection shall be valid for 24
24 consecutive hours. The fee for each one-day permit shall be \$500.

25 The governing body of the municipality in which the licensed
26 premises is situated may place reasonable conditions upon a one-
27 day permit for the purpose of maintaining public safety on the
28 licensed premises and immediately surrounding area. The costs
29 associated with the reasonable conditions placed on the one-day
30 permit shall be assumed by the holder of this license.

31 (3) This license shall not be issued to permit the sale of
32 alcoholic beverages in or upon any premises in which a grocery,
33 delicatessen, drug store or other mercantile business is carried on,
34 except as hereinafter provided. Subject to such rules and
35 regulations established from time to time by the director, the holder
36 of this license shall be permitted to sell alcoholic beverages in or
37 upon the premises in which any of the following is carried on: the
38 keeping of a hotel or restaurant including the sale of mercantile
39 items incidental thereto as an accommodation to patrons; the sale of
40 distillers', brewers' and vintners' packaged merchandise prepacked
41 as a unit with other suitable objects as gift items to be sold only as a
42 unit; the sale of novelty wearing apparel identified with the name of
43 the establishment licensed under the provisions of this section; the
44 sale of cigars, cigarettes, packaged crackers, chips, nuts and similar
45 snacks and ice at retail as an accommodation to patrons; or the retail
46 sale of nonalcoholic beverages as accessory beverages to alcoholic
47 beverages. The fee for this license shall be fixed by the governing

1 board or body of the municipality in which the licensed premises
2 are situated, by ordinance, at 75% of the fee fixed by said board or
3 body for plenary retail consumption licenses. The governing board
4 or body of each municipality may, by ordinance, enact that no
5 seasonal retail consumption license shall be granted within its
6 respective municipality.

7 (4) The holder of this license shall be entitled to sell and deliver
8 alcoholic beverages for consumption off the licensed premises
9 pursuant to section 1 of P.L. _____, c. (C. _____) (pending before the
10 Legislature as this bill).

11 Plenary retail distribution license. 3. a. The holder of this license
12 shall be entitled, subject to rules and regulations, to sell any
13 alcoholic beverages for consumption off the licensed premises, but
14 only in original containers; except that licensees shall be permitted
15 to conduct consumer wine, beer, and spirits tasting events and
16 samplings on a complimentary basis pursuant to conditions
17 established by rules and regulations of the Division of Alcoholic
18 Beverage Control, provided however, that the holder of this license
19 complies with the terms and conditions set forth in section 3 of
20 P.L.2009, c.216 (C.33:1-12d).

21 The governing board or body of each municipality may, by
22 ordinance, enact that this license shall not be issued to permit the
23 sale of alcoholic beverages in or upon any premises in which any
24 other mercantile business is carried on, except that any such
25 ordinance, heretofore or hereafter adopted, shall not prohibit the
26 retail sale of distillers', brewers' and vintners' packaged
27 merchandise prepacked as a unit with other suitable objects as gift
28 items to be sold only as a unit; the sale of novelty wearing apparel
29 identified with the name of the establishment licensed under the
30 provisions of this act; cigars, cigarettes, packaged crackers, chips,
31 nuts and similar snacks, ice, and nonalcoholic beverages as
32 accessory beverages to alcoholic beverages. The fee for this license
33 shall be fixed by the governing board or body of the municipality in
34 which the licensed premises are situated, by ordinance, at not less
35 than \$125 and not more than \$2,500. No ordinance shall be enacted
36 which shall raise or lower the fee to be charged for this license by
37 more than 20% from that charged in the preceding license year or
38 \$500.00, whichever is the lesser. The governing board or body of
39 each municipality may, by ordinance, enact that no plenary retail
40 distribution license shall be granted within its respective
41 municipality.

42 Limited retail distribution license. 3. b. The holder of this
43 license shall be entitled, subject to rules and regulations, to sell any
44 unchilled, brewed, malt alcoholic beverages in quantities of not less
45 than 72 fluid ounces for consumption off the licensed premises, but
46 only in original containers; provided, however, that this license
47 shall be issued only for premises operated and conducted by the

1 licensee as a bona fide grocery store, meat market, meat and
2 grocery store, delicatessen, or other type of bona fide food store at
3 which groceries or other foodstuffs are sold at retail; and provided
4 further that this license shall not be issued except for premises at
5 which the sale of groceries or other foodstuffs is the primary and
6 principal business and at which the sale of alcoholic beverages is
7 merely incidental and subordinate thereto. The fee for this license
8 shall be fixed by the governing body or board of the municipality in
9 which the licensed premises are situated, by ordinance, at not less
10 than \$31 and not more than \$63. The governing board or body of
11 each municipality may, by ordinance, enact that no limited retail
12 distribution license shall be granted within its respective
13 municipality.

14 Plenary retail transit license. 4. The holder of this license shall
15 be entitled, subject to rules and regulations, to sell any alcoholic
16 beverages, for consumption only, on railroad trains, airplanes,
17 limousines and boats, while in transit. The fee for this license for
18 use by a railroad or air transport company shall be \$375, for use by
19 the owners of limousines shall be \$31 per vehicle, and for use on a
20 boat shall be \$63 on a boat 65 feet or less in length, \$125 on a boat
21 more than 65 feet in length but not more than 110 feet in length,
22 and \$375 on a boat more than 110 feet in length; such boat lengths
23 shall be determined in the manner prescribed by the Bureau of
24 Customs of the United States Government or any federal agency
25 successor thereto for boat measurement in connection with issuance
26 of marine documents. A license issued under this provision to a
27 railroad or air transport company shall cover all railroad cars and
28 planes operated by any such company within the State of New
29 Jersey. A license for a boat or limousine issued under this
30 provision shall apply only to the particular boat or limousine for
31 which issued, and shall permit the purchase of alcoholic beverages
32 for sale or service in a boat or limousine to be made from any Class
33 A and B licensee or from any Class C licensee whose license
34 privilege permits the sale of alcoholic beverages in original
35 containers for off-premises consumption. An interest in a plenary
36 retail transit license issued in accordance with this section shall be
37 excluded in determining the maximum number of retail licenses
38 permitted under P.L.1962, c.152 (C.33:1-12.31 et seq.).

39 Club license. 5. The holder of this license shall be entitled,
40 subject to rules and regulations, to sell any alcoholic beverages but
41 only for immediate consumption on the licensed premises and only
42 to bona fide club members and their guests. The fee for this license
43 shall be fixed by the governing board or body of the municipality in
44 which the licensed premises are situated, by ordinance, at not less
45 than \$63 and not more than \$188. The governing board or body of
46 each municipality may, by ordinance, enact that no club licenses
47 shall be granted within its respective municipality. Club licenses

1 may be issued only to such corporations, associations and
2 organizations as are operated for benevolent, charitable, fraternal,
3 social, religious, recreational, athletic, or similar purposes, and not
4 for private gain, and which comply with all conditions which may
5 be imposed by the Director of the Division of Alcoholic Beverage
6 Control by rules and regulations.

7 The provisions of section 23 of P.L.2003, c.117 amendatory of
8 this section shall apply to licenses issued or transferred on or after
9 July 1, 2003, and to license renewals commencing on or after July
10 1, 2003.

11 Sporting facility license. 6. The holder of this license shall be
12 entitled, subject to rules and regulations, to sell at retail or to serve
13 any alcoholic beverages as the owner, operator, lessee, or
14 concessionaire of a sporting facility by the glass or other receptacle
15 or in original containers only on the premises of the sporting
16 facility.

17 Notwithstanding any other provision of Title 33 of the Revised
18 Statutes and subject to conditions established by the director, the
19 holder of this license may share direction and control of the
20 premises to be licensed and share proceeds and profits from the sale
21 of alcoholic beverages with the owner, operator, concessionaire, or
22 lessee of the facility. The holder of this license shall be permitted
23 to conduct consumer wine, beer, and spirits tasting events and
24 samplings for a fee or on a complimentary basis provided, however,
25 the license holder complies with the provisions of section 3 of
26 P.L.2009, c.216 (C.33:1-12d) and rules and regulations promulgated
27 thereto. Notwithstanding any law, rule or regulation to the
28 contrary, the holder of this license shall be entitled to establish an
29 all-inclusive area within the licensed sporting facility, provided the
30 all-inclusive area is limited to one area within the sporting facility
31 for each game or event and the capacity of the all-inclusive area
32 does not exceed 500 persons.

33 The fee for this license shall be \$2,500 for venues with a
34 capacity of less than 7,500 persons; \$5,000 for venues with a
35 capacity of not less than 7,500 persons but not more than 14,999
36 persons; \$7,500 for venues with a capacity of not less than 15,000
37 persons but not more than 22,499 persons; and \$10,000 for venues
38 with a capacity of 22,500 persons or more.

39 For the purposes of this subsection:

40 "Sporting facility" means a stadium, arena, team training facility,
41 or similar venue located on public property where alcoholic
42 beverages are served or sold at retail for consumption on the
43 premises by the glass or other open receptacle or in original
44 containers.

45 "Team training facility" shall include team offices and team
46 headquarters.

47 (cf: P.L.2018, c.147, s.1)

1 ¹**[5. This]** 4. Section 1 of this act¹ shall take effect immediately
2 ¹and sections 2 and 3 of this act shall take effect on the first day of
3 the third month next following the date of enactment¹.