

SENATE, No. 1906

STATE OF NEW JERSEY
214th LEGISLATURE

INTRODUCED MAY 13, 2010

Sponsored by:
Senator JAMES BEACH
District 6 (Camden)

SYNOPSIS

Permits certain municipalities to purchase retail alcoholic beverage licenses regardless of population restrictions.

CURRENT VERSION OF TEXT

As introduced.



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1 AN ACT concerning plenary retail consumption licenses and
2 amending P.L.1947, c.94.

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

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7 1. Section 2 of P.L.1947, c.94 (C.33:1-12.14) is amended to
8 read as follows:

9 2. a. Except as otherwise provided in this **[act]** P.L.1947,
10 c.94 and subsection b. of this section, no new plenary retail
11 consumption or seasonal retail consumption license shall be issued
12 in a municipality unless and until the combined total number of
13 such licenses existing in the municipality is fewer than one for each
14 3,000 of its population according to the most recent estimates
15 issued by the U.S. Bureau of the Census; provided, however, in the
16 year that the official federal decennial counts are received by the
17 Governor, those federal decennial counts shall be used. No new
18 plenary retail distribution license shall be issued in a municipality
19 unless and until the number of such licenses existing in the
20 municipality is fewer than one for each 7,500 of its population
21 according to the most recent estimates issued by the U.S. Bureau of
22 the Census; provided, however, in the year that the official federal
23 decennial counts are received by the Governor, those federal
24 decennial counts shall be used.

25 b. The governing body of a municipality in which the number
26 of plenary retail consumption licenses has reached the population
27 limitation provided in subsection a. of this section may purchase
28 additional licenses from another municipality in this State for fair
29 market value, provided that the governing body of the municipality
30 selling the license and the governing body of the municipality
31 purchasing the license mutually agree upon the terms of the sale.
32 Upon the sale of any plenary retail consumption license as provided
33 in this subsection, the license may be issued to an applicant for use
34 in connection with the operation of a premises located within the
35 municipality that purchased the license.

36 (cf: P.L.1999, c.189, s.1)

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38 2. This act shall take effect on the first day of the seventh
39 month following enactment.

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STATEMENT

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44 This bill permits a municipality to issue a plenary retail
45 consumption license (for bars and restaurants) which was purchased

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 for fair market value from another municipality in the State of New
2 Jersey.

3 Under current law, a municipality may issue plenary retail
4 consumption licenses until the combined total number in the
5 municipality is fewer than one license for each 3,000 persons.
6 Because of these restrictions, there is a shortage of these licenses in
7 some municipalities. This bill addresses this shortage by allowing a
8 municipality to purchase for fair market value a license from
9 another municipality as long as the governing bodies of the selling
10 and purchasing municipalities approve.