

SENATE, No. 2670

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MAY 16, 2022

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Senator VIN GOPAL

District 11 (Monmouth)

SYNOPSIS

Allows small private theater used for musical or theatrical performances to acquire alcoholic beverage retail license.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/26/2022)

1 AN ACT concerning alcoholic beverages and supplementing Title 33
2 of the Revised Statutes.

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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. a. As used in this section, “licensed premises” shall include
8 the premises where musical or theatrical performances or concerts
9 are held and any adjacent premises owned and operated by the
10 licensee.

11 b. It shall be lawful for the governing board or body of a
12 municipality, upon the approval of the Director of the Division of
13 Alcoholic Beverage Control, to issue a plenary retail consumption
14 license to a private theater entity that is incorporated on the
15 effective date of this act, which regularly conducts a majority of
16 live musical or theatrical performances or concerts for which
17 admission is charged.

18 c. A license issued pursuant to this section shall be used in
19 connection with a premises with a seating capacity of less than 400
20 persons and that is used primarily to conduct live musical or
21 theatrical performances or concerts. The license shall a private
22 entity, including a corporation, or its restaurant operator who has
23 been approved pursuant to procedures established by the Division
24 of Alcoholic Beverage Control to sell alcoholic beverages for
25 consumption on the licensed premises.

26 d. A license issued under the provisions of this act shall not be
27 counted in determining the number of licenses under P.L.1947, c.94
28 (C.33:1-12.13 et seq.) or under P.L.1968, c.277 (C.40:48-2.40 et
29 seq.).

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31 2. This act shall take effect immediately.

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STATEMENT

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36 This bill allows the governing body of a municipality, upon the
37 approval of the Director of the Division of Alcoholic Beverage
38 Control (ABC), to issue a plenary retail consumption license for use
39 in connection with a private theater entity that conducts a majority
40 of live musical or theatrical performances or concerts.

41 Under current law, municipalities are authorized to issue a
42 special plenary retail consumption license, known as a “theater
43 license,” to a nonprofit corporation which conducts musical or
44 theatrical performances or concerts on the premises if there is a
45 seating capacity of 1,000 persons or more. The holder of this
46 special license may only serve alcoholic beverages for consumption
47 on the licensed premises during the performance, as well as two
48 hours before and two hours after the performance.

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1 This bill specifically authorizes a municipality to issue a plenary
2 retail consumption license to a private entity that operates a small
3 theater with a seating capacity of less than 400 persons which
4 regularly conducts musical or theatrical performances or concerts
5 for which admission is charged. The license would authorize a
6 private entity, including a corporation, or its restaurant operator
7 who has been approved pursuant to procedures established by the
8 Division of Alcoholic Beverage Control to sell alcoholic beverages
9 for consumption on the licensed premises.

10 Under current law, a municipality may issue one plenary retail
11 consumption license for each 3,000 of its population. This
12 restriction would not apply to the holder of a plenary retail
13 consumption license used in connection a small theater in
14 accordance with the bill's provisions.