

ASSEMBLY, No. 104

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblyman DONALD A. GUARDIAN
District 2 (Atlantic)

Co-Sponsored by:

Assemblywoman Matsikoudis

SYNOPSIS

Permits sale of certain alcoholic beverages and related products at seasonal farm markets.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/5/2024)

1 AN ACT concerning the sale of alcoholic beverages and related
2 products, and supplementing Title 33 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. The director may, subject to rules and regulations, issue
8 to the holder of a limited brewery license, restricted brewery
9 license, craft distillery license, plenary winery license, farm winery
10 license, or cidery and meadery license, as established pursuant to
11 R.S.33:1-10, a daily or annual permit to sell any of the licensee's
12 products at a seasonal farm market for consumption off the
13 premises of the seasonal farm market. The director shall issue a
14 separate permit for each seasonal farm market at which the
15 licensee's products are intended to be sold. The director shall not
16 issue a permit pursuant to this section for use in connection with a
17 roadside farm stand.

18 b. Subject to rules and regulations, a licensee issued a permit
19 pursuant to this section may:

20 (1) transport the licensee's products for the purpose of selling
21 them at a seasonal farm market; and

22 (2) offer samples for sampling purposes to persons of the legal
23 age to consume alcoholic beverages in the amounts authorized
24 pursuant to R.S.33:1-10 during each day the seasonal farm market is
25 operating.

26 c. A daily permit shall be valid for the hours a seasonal farm
27 market is open during the 24-hour period for which the daily permit
28 is issued. An annual permit shall be valid for one year from the
29 date of issuance. The director may renew a permit provided the
30 permit holder continues to hold a limited brewery license, restricted
31 brewery license, craft distillery license, plenary winery license,
32 farm winery license, or cidery and meadery license, as applicable.

33 d. The director may establish a fee not to exceed \$25 for a
34 daily permit and not to exceed \$75 for an annual permit for the
35 issuance and renewal of a permit under this section.

36 e. As used in this section, "roadside farm stand" means a
37 location owned by a single farmer or producer at which the farmer
38 or producer sells agricultural products only from the farmer's or
39 producer's farm directly to consumers.

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41 2. This act shall take effect on the first day of the second month
42 next following the date of enactment.

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STATEMENT

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47 This bill authorizes the Director of the Division of Alcoholic
48 Beverage Control to issue a daily or annual permit to the holder of a

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1 limited brewery license, restricted brewery license, craft distillery
2 license, plenary winery license, farm winery license, or cidery and
3 meadery license to sell the licensee's products at a seasonal farm
4 market for consumption off the premises. The bill allows for the
5 director to charge a fee not to exceed \$25 for a daily permit, and a
6 fee not to exceed \$75 for an annual permit. In addition, the permit
7 may be renewed provided the permit holder continues to hold the
8 applicable limited brewery license, restricted brewery license, craft
9 distillery license, plenary winery license, farm winery license, or
10 cidery and meadery license.

11 The bill also:

12 1) requires the issuance of a separate permit for each seasonal
13 farm market at which the licensee's products are intended to be
14 sold; and

15 2) prohibits the issuance of a permit for use in connection with a
16 roadside farm stand.

17 Under the bill, "roadside farm stand" is defined as a location
18 owned by a single farmer or producer at which the farmer or
19 producer sells agricultural products only from the farmer's or
20 producer's farm directly to consumers.