

P.L. 2025, CHAPTER 295, *approved January 20, 2026*
Senate, No. 2160 (*Second Reprint*)

1 AN ACT concerning alcoholic beverage licenses and amending
2 R.S.33:1-12.

3

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

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7 ²1. R.S.33:1-12 is amended to read as follows:²

8 ²**[1. R.S.33:1-12.] 33:1-12.**² Class C licenses shall be subdivided
9 and classified as follows:

10 ²**[33:1-12.]**² Plenary retail consumption license. 1. The holder of
11 this license shall be entitled, subject to rules and regulations, to sell
12 any alcoholic beverages for consumption on the licensed premises by
13 the glass or other open receptacle, and also to sell any alcoholic
14 beverages in original containers for consumption off the licensed
15 premises; but this license shall not be issued to permit the sale of
16 alcoholic beverages in or upon any premises in which a grocery,
17 delicatessen, drug store or other mercantile business is carried on,
18 except as hereinafter provided. The holder of this license shall be
19 permitted to conduct consumer wine, beer and spirits tasting events
20 and samplings for a fee or on a complimentary basis pursuant to
21 conditions established by rules and regulations of the Division of
22 Alcoholic Beverage Control, provided however, that the holder of this
23 license complies with the terms and conditions set forth in section 3 of
24 P.L.2009, c.216 (C.33:1-12d). Subject to such rules and regulations
25 established from time to time by the director, the holder of this license
26 shall be permitted to sell alcoholic beverages in or upon the premises
27 in which any of the following is carried on: the keeping of a hotel or
28 restaurant including the sale of mercantile items incidental thereto as
29 an accommodation to patrons; the sale, at an entertainment facility as
30 defined in R.S.33:1-1, having a seating capacity for no less than 4,000
31 patrons, of mercantile items traditionally associated with the type of
32 event or program held at the site; the sale of distillers', brewers' and
33 vintners' packaged merchandise prepacked as a unit with other suitable
34 objects as gift items to be sold only as a unit; the sale of novelty
35 wearing apparel identified with the name of the establishment licensed
36 under the provisions of this section; the sale of cigars, cigarettes,
37 packaged crackers, chips, nuts and similar snacks and ice at retail as an
38 accommodation to patrons, or the retail sale of nonalcoholic beverages

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 floor amendments adopted December 18, 2025.

²Assembly AAP committee amendments adopted January 8, 2026.

1 as accessory beverages to alcoholic beverages; or, in commercial
2 bowling establishments, the retail sale or rental of bowling accessories
3 and the retail sale from vending machines of candy, ice cream and
4 nonalcoholic beverages. The fee for this license shall be fixed by the
5 governing board or body of the municipality in which the licensed
6 premises are situated, by ordinance, at not less than \$250 and not more
7 than \$2,500. No ordinance shall be enacted which shall raise or lower
8 the fee to be charged for this license by more than ~~'[20%]~~ 20 percent¹
9 from that charged in the preceding license year or \$500.00, whichever
10 is the lesser. The governing board or body of each municipality may,
11 by ordinance, enact that no plenary retail consumption license shall be
12 granted within its respective municipality.

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

19 Seasonal retail consumption license. 2. (1) The holder of this
20 license shall be entitled, subject to rules and regulations, to sell any
21 alcoholic beverages for consumption on the licensed premises by the
22 glass or other open receptacle, and also to sell any alcoholic beverages
23 in original containers for consumption off the licensed premises,
24 during the summer season from May 1 until November 14, inclusive,
25 or during the winter season from November 15 until April 30,
26 inclusive.

27 (2) In addition, the director shall issue to the holder of this license,
28 upon request by the licensee, one-day permits that shall entitle the
29 license holder to sell alcoholic beverages for consumption on the
30 licensed premises during the season when the license holder is not
31 authorized to sell alcoholic beverages pursuant to subparagraph (1) of
32 this subsection. The number of one-day permits issued to a licensee
33 pursuant to this subsection shall not exceed an aggregate of 14 permits
34 in one calendar year. A one-day permit issued pursuant to this
35 subsection shall be valid for 24 consecutive hours. The fee for each
36 one-day permit shall be \$500.

37 The governing body of the municipality in which the licensed
38 premises is situated may place reasonable conditions upon a one-day
39 permit for the purpose of maintaining public safety on the licensed
40 premises and immediately surrounding area. The costs associated with
41 the reasonable conditions placed on the one-day permit shall be
42 assumed by the holder of this license.

43 (3) This license shall not be issued to permit the sale of alcoholic
44 beverages in or upon any premises in which a grocery, delicatessen,
45 drug store or other mercantile business is carried on, except as
46 hereinafter provided. Subject to such rules and regulations established
47 from time to time by the director, the holder of this license shall be
48 permitted to sell alcoholic beverages in or upon the premises in which

1 any of the following is carried on: the keeping of a hotel or restaurant
 2 including the sale of mercantile items incidental thereto as an
 3 accommodation to patrons; the sale of distillers', brewers' and vintners'
 4 packaged merchandise prepacked as a unit with other suitable objects
 5 as gift items to be sold only as a unit; the sale of novelty wearing
 6 apparel identified with the name of the establishment licensed under
 7 the provisions of this section; the sale of cigars, cigarettes, packaged
 8 crackers, chips, nuts and similar snacks and ice at retail as an
 9 accommodation to patrons; or the retail sale of nonalcoholic beverages
 10 as accessory beverages to alcoholic beverages. The fee for this license
 11 shall be fixed by the governing board or body of the municipality in
 12 which the licensed premises are situated, by ordinance, at ¹~~75%~~ **75**
 13 percent¹ of the fee fixed by said board or body for plenary retail
 14 consumption licenses. The governing board or body of each
 15 municipality may, by ordinance, enact that no seasonal retail
 16 consumption license shall be granted within its respective
 17 municipality.

18 (4) A person who held this license prior to the effective date of
 19 P.L. , c. (pending before the Legislature as this bill) and
 20 wishes to exchange the license for a plenary retail consumption license
 21 may surrender the license to the issuing authority ¹~~who~~ **prior to the**
 22 last day of the ²~~12th~~ **24th** month following the effective date of
 23 P.L. , c. (pending before the Legislature as this bill) and the issuing
 24 authority¹ shall convert the license to a plenary retail consumption
 25 license. Thereafter, the licensee may sell any alcoholic beverages
 26 during 12 months of each year in accordance with the provisions of
 27 this section. The governing board or body of the municipality in
 28 which the licensed premises is situated shall ²~~not prohibit~~ **affirmatively approve²**
 29 the holder of this license ²~~from~~ **converting**
 30 it ²to a plenary retail consumption license² in accordance with this
 31 subsection ²~~or limit the licensee from~~ **, and² exercising the same**
 32 privileges as the holder of a plenary retail consumption license. A
 33 person who converts this license shall be entitled to sell alcoholic
 34 beverages on the same days and during the same hours as other
 35 plenary retail consumption license holders within the same
 36 municipality.

37 The fee to convert this license shall be ¹~~based upon~~ **equal to 43**
 38 percent of¹ the average sales price of plenary retail consumption
 39 licenses in the municipality in which the licensed premises is located
 40 during the two years immediately preceding the effective date of
 41 P.L. , c. (pending before the Legislature as this bill). If ¹~~no~~ **less**
 42 than three¹ plenary retail consumption licenses have been sold in the
 43 municipality or municipalities during the two years immediately
 44 preceding the effective date of P.L. , c. (pending before the
 45 Legislature as this bill), the fee shall be ¹~~based upon~~ **equal to 43**
 46 percent of¹ the average sales price of the last three plenary retail
 47 consumption licenses sold prior to the effective date of P.L. c (C.)

(pending before the Legislature as this bill), except as otherwise provided in paragraph (b) of this subsection. If the licensed premises is located within the boundaries of two or more municipalities, the highest average sale price of the two or more municipalities shall be used to calculate the fee. The calculation to determine the fee shall not include de minimis or related party transfer sales ¹]. The fee to convert this license shall not exceed \$250,000.] and shall be subject to the following requirements:

(a) if the sales price of a plenary retail consumption license required to be used in this section to determine the average sales price is not known or cannot be determined because the license was sold commingled with other assets as part of a bulk sale for a total sales price that did not identify the component prices of the individual assets included in the sale, the fee shall be ²[\$250,000] \$350,000²;

(b) if less than three plenary retail consumption licenses have been sold in the municipality or municipalities during the five years immediately preceding the effective date of P.L. , c. (pending before the Legislature as this bill), the fee shall be ²[\$250,000] \$350,000²; or

(c) if a municipality has less than five plenary retail consumption licenses, the fee shall be ²[\$250,000] \$350,000².

The fee for converting this license shall be paid to the municipality in which the licensed premises is located. If the licensed premises is located within the boundaries of two or more municipalities, the fee shall be divided and paid in equal proportions to the municipalities.¹ A person who exchanges this license also shall pay the annual fee established by the issuing authority for holding a plenary retail consumption license.

Plenary retail distribution license. 3. a. The holder of this license shall be entitled, subject to rules and regulations, to sell any alcoholic beverages or intoxicating hemp beverages pursuant to section 5 of P.L.2024, c.73 (C.24:6I-48.2), for consumption off the licensed premises, but only in original containers except that licensees shall be permitted to conduct consumer wine, beer, and spirits tasting events and samplings on a complimentary basis pursuant to conditions established by rules and regulations of the Division of Alcoholic Beverage Control, provided however, that the holder of this license complies with the terms and conditions set forth in section 3 of P.L.2009, c.216 (C.33:1-12d).

The governing board or body of each municipality may, by ordinance, enact that this license shall not be issued to permit the sale of alcoholic beverages in or upon any premises in which any other mercantile business is carried on, except that any such ordinance, heretofore or hereafter adopted, shall not prohibit the retail sale of distillers', brewers' and vintners' packaged merchandise prepacked as a unit with other suitable objects as gift items to be sold only as a unit; the sale of novelty wearing apparel identified with the name of the establishment licensed under the provisions of this act; cigars,

1 cigarettes, packaged crackers, chips, nuts and similar snacks, ice, and
2 nonalcoholic beverages as accessory beverages to alcoholic beverages.
3 The fee for this license shall be fixed by the governing board or body
4 of the municipality in which the licensed premises are situated, by
5 ordinance, at not less than \$125 and not more than \$2,500. No
6 ordinance shall be enacted which shall raise or lower the fee to be
7 charged for this license by more than ~~'[20%]~~ 20 percent¹ from that
8 charged in the preceding license year or \$500.00, whichever is the
9 lesser. The governing board or body of each municipality may, by
10 ordinance, enact that no plenary retail distribution license shall be
11 granted within its respective municipality.

12 Limited retail distribution license. 3. b. The holder of this license
13 shall be entitled, subject to rules and regulations, to sell any unchilled,
14 brewed, malt alcoholic beverages in quantities of not less than 72 fluid
15 ounces for consumption off the licensed premises, but only in original
16 containers; provided, however, that this license shall be issued only for
17 premises operated and conducted by the licensee as a bona fide
18 grocery store, meat market, meat and grocery store, delicatessen, or
19 other type of bona fide food store at which groceries or other
20 foodstuffs are sold at retail; and provided further that this license shall
21 not be issued except for premises at which the sale of groceries or
22 other foodstuffs is the primary and principal business and at which the
23 sale of alcoholic beverages is merely incidental and subordinate
24 thereto. The fee for this license shall be fixed by the governing body
25 or board of the municipality in which the licensed premises are
26 situated, by ordinance, at not less than \$31 and not more than \$63.
27 The governing board or body of each municipality may, by ordinance,
28 enact that no limited retail distribution license shall be granted within
29 its respective municipality.

30 Plenary retail transit license. 4. The holder of this license shall be
31 entitled, subject to rules and regulations, to sell any alcoholic
32 beverages, for consumption only, on railroad trains, airplanes,
33 limousines and boats, while in transit. The fee for this license for use
34 by a railroad or air transport company shall be \$375, for use by the
35 owners of limousines shall be \$31 per vehicle, and for use on a boat
36 shall be \$63 on a boat 65 feet or less in length, \$125 on a boat more
37 than 65 feet in length but not more than 110 feet in length, and \$375
38 on a boat more than 110 feet in length; such boat lengths shall be
39 determined in the manner prescribed by the Bureau of Customs of the
40 United States Government or any federal agency successor thereto for
41 boat measurement in connection with issuance of marine documents.
42 A license issued under this provision to a railroad or air transport
43 company shall cover all railroad cars and planes operated by any such
44 company within the State of New Jersey. A license for a boat or
45 limousine issued under this provision shall apply only to the particular
46 boat or limousine for which issued, and shall permit the purchase of
47 alcoholic beverages for sale or service in a boat or limousine to be
48 made from any Class A and B licensee or from any Class C licensee

1 whose license privilege permits the sale of alcoholic beverages in
2 original containers for off-premises consumption. An interest in a
3 plenary retail transit license issued in accordance with this section
4 shall be excluded in determining the maximum number of retail
5 licenses permitted under P.L.1962, c.152 (C.33:1-12.31 et seq.).

6 Club license. 5. The holder of this license shall be entitled, subject
7 to rules and regulations, to sell any alcoholic beverages but only for
8 immediate consumption on the licensed premises and only to bona fide
9 club members and their guests. The fee for this license shall be fixed
10 by the governing board or body of the municipality in which the
11 licensed premises are situated, by ordinance, at not less than \$63 and
12 not more than \$188. The governing board or body of each
13 municipality may, by ordinance, enact that no club licenses shall be
14 granted within its respective municipality. Club licenses may be
15 issued only to such corporations, associations and organizations as are
16 operated for benevolent, charitable, fraternal, social, religious,
17 recreational, athletic, or similar purposes, and not for private gain, and
18 which comply with all conditions which may be imposed by the
19 Director of the Division of Alcoholic Beverage Control by rules and
20 regulations.

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

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

29 Notwithstanding any other provision of Title 33 of the Revised
30 Statutes and subject to conditions established by the director, the
31 holder of this license may share direction and control of the premises
32 to be licensed and share proceeds and profits from the sale of alcoholic
33 beverages with the owner, operator, concessionaire, or lessee of the
34 facility. The holder of this license shall be permitted to conduct
35 consumer wine, beer, and spirits tasting events and samplings for a fee
36 or on a complimentary basis provided, however, the license holder
37 complies with the provisions of section 3 of P.L.2009, c.216 (C.33:1-
38 12d) and rules and regulations promulgated thereto. Notwithstanding
39 any law, rule or regulation to the contrary, the holder of this license
40 shall be entitled to establish up to five all-inclusive areas within the
41 licensed sporting facility, provided the total capacity of the all-
42 inclusive area or areas within the sporting facility for each game or
43 event does not exceed more than 500 persons or five percent of the
44 total capacity of the sporting facility, whichever is greater.

45 The fee for this license shall be \$2,500 for venues with a capacity
46 of less than 7,500 persons; \$5,000 for venues with a capacity of not
47 less than 7,500 persons but not more than 14,999 persons; \$7,500 for
48 venues with a capacity of not less than 15,000 persons but not more

1 than 22,499 persons; and \$10,000 for venues with a capacity of 22,500
2 persons or more.

3 The director may, in accordance with regulations or a special
4 ruling, issue special all-inclusive area event permits to the holder of
5 this license authorizing the establishment of an all-inclusive area or
6 areas in excess of these limitations for a national or international
7 sporting event at a sporting facility with a seating capacity of 50,000
8 or more persons, provided the issuance of the special all-inclusive area
9 event permits is consistent with the provisions of Title 33 of the
10 Revised Statutes and any regulations promulgated thereunder. The
11 director may impose special conditions on the special all-inclusive
12 area event permits deemed necessary and proper to protect the health,
13 safety, and welfare of the public. A special all-inclusive area event
14 permit issued pursuant to this subsection shall be valid for the
15 specified duration of the event and the fee shall be \$2,000 per day for
16 each all-inclusive area established, but the total fee shall not exceed
17 \$6,000 per day. Prior to the issuance of a special all-inclusive area
18 event permit, the director may require the holder of this license to
19 provide a bond or equivalent to the Division of Alcoholic Beverage
20 Control in an amount to be determined by the director based on the
21 size, scope, and conditions of the national or international sporting
22 event and the compliance history of the sporting facility license holder.

23 For the purposes of this subsection:

24 "National or international sporting event" means a tournament-
25 level professional event governed by a national or international sports
26 federation or governing body, including but not limited to sporting
27 events governed by the National Football League, International
28 Olympic Committee, and the International Federation of Association
29 Football.

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

34 "Team training facility" shall include team offices and team
35 headquarters.

36 (cf: P.L.2025, c.34, s.1)

37
38 2. This act shall take effect on the first day of the fourth month
39 following the date of enactment.
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44 Allows seasonal retail consumption alcoholic beverage license
45 holder to exchange license for full-year consumption license.