

## CHAPTER 265

AN ACT concerning the sale of alcoholic beverages and amending P.L.1971, c.184.

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

1. Section 1 of P.L.1971, c.184 (C.33:1-40.3) is amended to read as follows:

C.33:1-40.3 Sale of certain alcoholic beverages.

1. a. Whenever the sale of alcoholic beverages for consumption on the premises and off the premises or either thereof is authorized in any municipality by ordinance or rule or regulation of the Division of Alcoholic Beverage Control, by the holder of a retail consumption or retail distribution license, such ordinance or rule shall authorize the sale of wine and malt alcoholic beverages in original bottle or can containers for consumption off the premises on the same days and during the same hours as the sale of alcoholic beverages for consumption on the premises is permitted and authorized in the municipality. If a municipality has no ordinance or local law that authorizes the sale of alcoholic beverages for consumption on the premises, then the municipality may by ordinance authorize the sale of wine and malt alcoholic beverages in original bottle or can containers by retail distribution licensees any time between the hours of 12:30 p.m. and 6:30 p.m. on Sunday, in addition to such weekday hours as may be authorized by ordinance.

Notwithstanding the provisions of this section or any other law to the contrary, a city of the first class may establish by ordinance separate hours for:

- (1) sales by each type of retail license set forth in R.S.33:1-12, and
- (2) sales by such licensees for consumption on the premises and consumption off the premises.

All parts of ordinances and regulations of the Director of the Division of Alcoholic Beverage Control inconsistent with the provisions of this act are superseded to the extent of such inconsistency.

b. Notwithstanding any other provision of law to the contrary, the holder of a plenary retail consumption license or permit authorizing the sale of alcoholic beverages for consumption on the premises that is used in connection with a premises located within an international airport may sell alcoholic beverages any time between the hours of 6:00 a.m. and 3:00 a.m.

2. This act shall take effect immediately.

Approved January 8, 2018.