

## CHAPTER 466

AN ACT concerning plenary retail consumption licenses and amending and supplementing P.L.1985, c.151.

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

1. Section 1 of P.L.1985, c.151 (C.33:1-19.7) is amended to read as follows:

C.33:1-19.7 Plenary retail consumption license, issuance to certain nonprofit corporations.

1. It shall be lawful for the governing board or body of any municipality, upon the approval of the Director of the Division of Alcoholic Beverage Control, to issue a plenary retail consumption license to a nonprofit corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, which regularly conducts musical or theatrical performances or concerts for which admission is charged. A license issued pursuant to this section shall be used in connection with a premises with a seating capacity of 1,000 persons or more that is primarily used to conduct musical or theatrical performances or concerts.

The license shall authorize the sale of alcoholic beverages by the nonprofit corporation or its restaurant operator who has been approved pursuant to procedures established by the Division of Alcoholic Beverage Control for consumption on the licensed premises:

- a. during the two hours immediately preceding performances;
- b. during performances, including intermission; and
- c. during the two hours immediately following performances.

For the purposes of this section, "licensed premises" shall include the premises where the musical or theatrical performance or concert is held and any adjacent premises owned and operated by the licensee.

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

C.33:1-19.8 Issuance of retail consumption license to certain nonprofit corporations.

2. It shall be lawful for the governing board or body of any municipality, upon the approval of the Director of the Division of Alcoholic Beverage Control, to issue a plenary retail consumption license to a nonprofit corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code that is incorporated on the effective date of this act, which regularly conducts musical or theatrical performances or concerts for which admission is charged. A license issued pursuant to this section shall be used in connection with a premises with a seating capacity of 50 persons or more but less than 1,000 persons that is primarily used to conduct musical or theatrical performances or concerts.

The license shall authorize the sale of alcoholic beverages by the nonprofit corporation or its restaurant operator who has been approved pursuant to procedures established by the Division of Alcoholic Beverage Control for consumption on the licensed premises:

- a. during the two hours immediately preceding performances;
- b. during performances, including intermission; and
- c. for not more than 15 performances in a calendar year, during the two hours immediately following performances.

For the purposes of this section, "licensed premises" shall include the premises where the musical or theatrical performance or concert is held and any adjacent premises owned and operated by the licensee.

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

3. This act shall take effect immediately.

Approved January 21, 2020.