

Governor Phil Murphy

Governor Murphy Signs New Law Clarifying that Nonprofit Movie Theaters Focused on the Arts are Eligible for Plenary Liquor Licenses

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RED BANK – Ahead of his appearance at a summer gala benefiting the iconic Count Basie Center for the Arts' Forever For Everyone endowment campaign, Governor Phil Murphy on Friday signed bill S-3328 into law, paving the way for the issuance of alcoholic beverage retail licenses for nonprofit movie theaters that enrich their local communities by promoting the arts.

"Nonprofit theaters provide a world of good to our communities, but like so many other industries they have been faced with challenges, particularly since the pandemic," **said Governor Murphy**. "Treating them the same as nonprofit corporations conducting musicals or theatrical performances and allowing them to serve alcohol will enhance the entertainment experience for theater-goers while enhancing their bottom line to ensure they remain afloat and continue to benefit our communities."

The legislation sponsored by Senators Vin Gopal and Shirley K. Turner and Assemblyman Sterley S. Stanley will expand existing law – which allows municipalities to issue a plenary retail consumption license to nonprofit corporations that conduct musicals, theatrical performances, or concerts – to allow licenses to be issued to nonprofit art house movie theaters as well.

"Nonprofit arts groups and venues, like other nonprofit entities, took a tough hit during the COVID-19 pandemic," **said Senator Gopal**. "This law is one way to help them recover, by allowing art-house movie theaters to enjoy the same beverage service offerings available at other nonprofit arts locations, including those that host musical and theatrical performances, as well as concerts, and to further enhance the overall experience for patrons."

"In these post-pandemic and yet still uncertain economic times, our nonprofits, including those that serve to bolster the arts, need every advantage we can provide," **said Senator Turner**. "This law will assist their efforts to enrich the cultural and entertainment opportunities for their towns and neighborhoods."

"Nonprofit arts organizations are crucial resources for the development of culture that largely defines how it feels to call a community home. In light of this, we must insure that these organizations have all reasonable options at their disposal so their communities can continue to be enriched and enfranchised by these incredibly important organization," **said Assemblyman Sterley Stanley**. "Under this legislation residents will no longer have to choose between supporting local arts organizations or having a typical night out with friends. Now, residents will be able to enjoy a night out while also supporting the arts and contributing to the local economy."

The holder of this special license, known as a "theater license," may serve alcoholic beverages for consumption on the licensed premises during the performance, as well as two hours prior and two hours immediately following the performance, with the exception of certain smaller theaters where the amount of times they can serve alcohol during the two-hour post-show window is limited to 15 events per year.

Unlike plenary retail consumption licenses for bars and restaurants, theater licenses are not subject to the same population restriction, which limits one license for every 3,000 residents in a municipality, a Prohibition-era restriction. Governor Murphy has proposed eliminating in the interest of affordability, equity, and economic development.



The nonprofit Count Basie Center for the Arts purchased the former Bow Tie Cinemas – now called the Basie Center Cinemas – in 2020 as part of its continuing mission to bring the arts to Monmouth County and ensure inclusion and access to performance arts and education for everyone through efforts such as its endowment campaign.

“This legislation is critical to the survival of our independent cinema here in Red Bank, which we took over during the pandemic to ensure this venue could continue to operate and promote the art of film,” **said Adam Philipson, President and CEO of the Count Basie Center for the Arts.** “Along with the appreciation our audience will have in enjoying a glass of wine with their film, the revenue this new law will generate is critical to our mission. We are grateful to the Assembly, Senate and to Governor Murphy for their unanimous support of this legislation.”

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