

§707-B. Advertising and sponsorship agreements at licensed venues

1. Definitions. For the purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Brand" means a product name of malt liquor, wine or spirit authorized for sale in the State by a certificate of approval holder or wholesaler. [PL 2025, c. 230, Pt. C, §4 (NEW).]

B. "Venue" means the licensed premises of an auditorium, civic auditorium, outdoor stadium or performing arts center. [PL 2025, c. 230, Pt. C, §4 (NEW).]
[PL 2025, c. 230, Pt. C, §4 (NEW).]

2. Advertising permitted. Notwithstanding any provision of this Title to the contrary, a wholesale licensee or certificate of approval holder, including on behalf of a brand the wholesale licensee or certificate of approval holder supplies or manufactures, may engage in advertising or sponsorship activities with a licensee described in subsection 3, subject to the conditions and limitations set forth in this section.
[PL 2025, c. 230, Pt. C, §4 (NEW).]

3. Eligible licensees. This section applies only to a venue licensee under section 1070.
[PL 2025, c. 230, Pt. C, §4 (NEW).]

4. Permitted activities. A wholesale licensee or certificate of approval holder, including on behalf of a brand the wholesale licensee or certificate of approval holder supplies or manufactures, may enter into a written agreement with an eligible licensee in accordance with subsection 5 for:

A. The purchase of advertising space or time on or within the licensed premises, including, but not limited to, physical signage, digital media and naming rights to portions of the venue; [PL 2025, c. 230, Pt. C, §4 (NEW).]

B. The sponsorship of events, event series or designated areas within the venue, including lounges, beverage stations and hospitality zones; and [PL 2025, c. 230, Pt. C, §4 (NEW).]

C. The co-branding or cross-promotion of events in conjunction with the licensee, as long as the co-branding or cross-promotion does not result in direct or indirect control over the operations of the licensee. [PL 2025, c. 230, Pt. C, §4 (NEW).]
[PL 2025, c. 230, Pt. C, §4 (NEW).]

5. Conditions of authorization. A written agreement under subsection 4 is permitted only if:

A. The agreement is in writing and retained by the licensee and made available to the bureau upon request; [PL 2025, c. 230, Pt. C, §4 (NEW).]

B. The written agreement is not conditioned upon the purchase, placement, promotion or exclusion of a particular brand or product by the licensee; [PL 2025, c. 230, Pt. C, §4 (NEW).]

C. The wholesale licensee or certificate of approval holder, including on behalf of a brand the wholesale licensee or certificate of approval holder supplies or manufactures, does not exert, or attempt to exert, control over the retail operations, purchasing decisions or beverage menu of the licensee; [PL 2025, c. 230, Pt. C, §4 (NEW).]

D. The written agreement complies with federal law; and [PL 2025, c. 230, Pt. C, §4 (NEW).]

E. The written agreement does not result in the exclusion, in whole or in part, of another person's product. [PL 2025, c. 230, Pt. C, §4 (NEW).]
[PL 2025, c. 230, Pt. C, §4 (NEW).]

6. Reporting. A licensee that enters into an agreement authorized by this section shall:

A. Submit to the bureau, upon request, a list of all agreements entered into pursuant to this section; [PL 2025, c. 230, Pt. C, §4 (NEW).]

B. Retain a copy of the written agreement for a period of not less than 3 years and make the agreement available to the bureau; [PL 2025, c. 230, Pt. C, §4 (NEW).]

C. Annually post a notice indicating that advertising and sponsorship opportunities are generally available to a wholesale licensee or certificate of approval holder and the brands the wholesale licensee or certificate of approval holder supplies or manufactures; and [PL 2025, c. 230, Pt. C, §4 (NEW).]

D. Provide to the bureau, upon license renewal, a list of the licensee's sponsors. [PL 2025, c. 230, Pt. C, §4 (NEW).]

[PL 2025, c. 230, Pt. C, §4 (NEW).]

SECTION HISTORY

PL 2025, c. 230, Pt. C, §4 (NEW).

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