

HOUSE DOCKET, NO. 4310 FILED ON: 11/25/2015

HOUSE No. 3884

The Commonwealth of Massachusetts

PRESENTED BY:

Cory Atkins and Jennifer E. Benson

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act authorizing the town of Acton to grant 16 additional licenses for the sale of all alcoholic beverages and 6 additional licenses for the sale of wines and malt beverages to be drunk on the premises.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Cory Atkins</i>	<i>14th Middlesex</i>

HOUSE No. 3884

By Representatives Atkins of Concord and Benson of Lunenburg, a petition (accompanied by bill, House, No. 3884) of Cory Atkins (by vote of the town) that the town of Acton be authorized to grant sixteen additional licenses for the sale of all alcoholic beverages and six additional licenses for the sale of wines and malt beverages to be drunk on the premises. Consumer Protection and Professional Licensure. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act authorizing the town of Acton to grant 16 additional licenses for the sale of all alcoholic beverages and 6 additional licenses for the sale of wines and malt beverages to be drunk on the premises.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the
2 licensing authority of the town of Acton may grant ~~16~~ 9 additional licenses for the sale of all
3 alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 and ~~6~~
4 4 additional licenses for the sale of wines and malt beverages to be drunk on the premises;
5 pursuant to said section 12 of chapter 138, to locations to be determined by the licensing
6 authority in accordance to this section ~~provided, however, that such licenses are issued to~~
7 ~~establishments that hold a common victuallers license pursuant to section 2 of chapter 140 of the~~
8 ~~General Laws.~~ The licenses shall be subject to all of said chapter 138 except said section 17.

9 (b) The licensing authority of the town of Acton shall restrict the licenses authorized by
10 this section in the following manner: (i) 6 licenses for the sale of all alcoholic beverages and 1

11 licenses for the sale of wines and malt beverages to be drunk on the premises pursuant to said
12 section 12 of said chapter 138 shall be restricted to entities located within the Kelley's Corner
13 District; 1 license for the sale of all alcoholic beverages and 1 license for the sale of wines and
14 malt beverages to be drunk on the premises pursuant to said section 12 of said chapter 138 shall
15 be restricted to entities located within the South Acton Village District; 1 licenses for the sale of
16 all alcoholic beverages and 1 license for the sale of wines and malt beverages to be drunk on the
17 premises pursuant to said section 12 of said chapter 138 shall be restricted to entities located
18 within the West Acton Village District; and 1 license for the sale of all alcoholic beverages and 1
19 licenses for the sale of wines and malt beverages to be drunk on the premises pursuant to said
20 section 12 of said chapter 138 shall be restricted to an entity located within the East Acton
21 Village District.

22 (c) Notwithstanding sections 12 and 77 of said chapter 138, the licensing authority may
23 restrict the licenses issued pursuant to this section to holders of common victualler licenses.

24 (d) The licensing authority may approve the transfer of any license issued pursuant to this
25 section to another location provided that the license shall remain subject to the location
26 restriction set forth in subsection (b) that applied to such license as initially issued. Once issued,
27 the licensing authority shall not approve the transfer of the license issued under this act to any
28 other person, partnership, corporation, limited liability company, organization, or any other
29 entity or location for a period of 3 years from the date of the original issuance, but it may grant
30 the license to a new applicant at the same location if the applicant files with the licensing
31 authority a letter from the department of revenue and a letter from the department of
32 unemployment assistance indicating that the licensee is in good standing with those departments
33 and that all applicable taxes, fees, and contributions have been paid.

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34 |
35 | (ee) If any license granted under this section is cancelled, revoked, or no longer in use, it
36 | shall be returned physically, with all of the legal rights, privileges and restrictions pertaining
37 | thereto, to the licensing authority which may then grant the license to a new applicant under the
38 | same conditions as specified in this ~~act~~section provided that the applicant files with the licensing
39 | authority a letter from the department of revenue and a letter from the department of
40 | unemployment assistance indicating that the licensee is in good standing with those departments
41 | and that all applicable taxes, fees, and contributions have been paid.

42 | SECTION 2. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the
43 | licensing authority of the town of Acton may grant 7 additional licenses for the sale of all
44 | alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 and 2
45 | additional licenses for the sale of wines and malt beverages to be drunk on the premises pursuant
46 | to said section 12 of chapter 138, to locations to be determined by the licensing authority in
47 | accordance to this section. The licenses shall be subject to all of said chapter 138 except said
48 | section 17.

49 | (b) The licensing authority of the town of Acton shall restrict the licenses authorized by
50 | this section in the following manner: (i) 5 licenses for the sale of all alcoholic beverages and 1
51 | license for the sale of wines and malt beverages to be drunk on the premises pursuant to said
52 | section 12 of said chapter 138 shall be restricted to entities located within the Kelley's Corner
53 | District; 1 license for the sale of all alcoholic beverages and 1 license for the sale of wines and
54 | malt beverages to be drunk on the premises pursuant to said section 12 of said chapter 138 shall
55 | be restricted to entities located within the South Acton Village District; 1 license for the sale of

56 all alcoholic beverages and 1 license for the sale of wines and malt beverages to be drunk on the
57 premises pursuant to said section 12 of said chapter 138 shall be restricted to entities located
58 within the West Acton Village District; and 1 license for the sale of all alcoholic beverages and 1
59 licenses for the sale of wines and malt beverages to be drunk on the premises pursuant to said
60 section 12 of said chapter 138 shall be restricted to entities located within the East Acton Village
61 District.

62 (c) Notwithstanding sections 12 and 77 of said chapter 138, the licensing authority may
63 restrict the licenses issued pursuant to this section to holders of common victualler licenses.

64 (d) The licensing authority may approve the transfer of any license issued pursuant to this
65 section to another location provided that the license shall remain subject to the location
66 restriction set forth in subsection (b) that applied to such license as initially issued.

67 (e) If any license granted under this section is cancelled, revoked, or no longer in use, it
68 shall be returned physically, with all of the legal rights, privileges and restrictions pertaining
69 thereto, to the licensing authority which may then grant the license to a new applicant under the
70 same conditions as specified in this section provided that the applicant files with the licensing
71 authority a letter from the department of revenue and a letter from the department of
72 unemployment assistance indicating that the licensee is in good standing with those departments
73 and that all applicable taxes, fees and contributions have been paid.

74 SECTION 23. ~~This act shall take effect upon its passage~~Section 1 of this Act shall take
75 effect upon passage.

76 SECTION 4. Section 2 of this Act shall take effect on January 1, 2018.

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