

HOUSE No. 5173

The Commonwealth of Massachusetts

PRESENTED BY:

Dylan A. Fernandes

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 regarding licenses for the sale of alcoholic beverages to be drunk on the premises in the town of Tisbury.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>8/24/2020</i>

HOUSE No. 5173

By Mr. Fernandes of Falmouth, a petition (accompanied by bill, House, No. 5173) of Dylan A. Fernandes (by vote of the town) that the town of Tisbury be authorized to convert licenses for the sale of alcoholic beverages to be drunk on the premises to licenses for the sale of all alcoholic beverages or 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 Ninety-First General Court
(2019-2020)

An Act regarding licenses for the sale of alcoholic beverages to be drunk on the premises in the town of Tisbury.

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. Notwithstanding sections 11, 11a and 17 of chapter 138 of the general laws
2 or any other general or special law to the contrary, the board of selectmen of the town of Tisbury
3 may place upon the official ballot at the next state election or annual town election following the
4 effective date of this act, the following question:

5 “Shall the board of selectmen of the town of Tisbury be authorized to convert licenses for
6 the sale of alcoholic beverages to be drunk on the premises under section 12 of chapter 138 of
7 the general laws, originally granted or authorized pursuant to section 1 of chapter 187 of the acts
8 of 2009 or chapter 360 of the acts of 2016, to licenses for the sale of all alcoholic beverages or
9 wines and malt beverages to be drunk on the premises to restaurants, including restaurants within
10 inns and hotels, without the requirement that such be beverages be consumed with meals only,
11 but subject to the requirement that the restaurant have a seating capacity of not less than 30

12 persons, and subject to the conditions that sales of alcoholic beverages not exceed thirty five
13 percent (35%) of the gross sales of the restaurant and that such sales shall not be permitted later
14 than 11:00 p.m. except within the discretion of the board of selectmen on a special occasion?"

15 If a majority of votes cast in answer to the question is in the affirmative, the town may:
16 convert current licenses for the sale of alcoholic beverages to be drunk on the premises that have
17 been granted pursuant to section 1 of chapter 187 of the acts of 2009 or chapter 360 of the acts of
18 2016 prior to the effective date of this act to licenses for the sale of alcoholic beverages to be
19 drunk on the premises without the requirement that such beverages be consumed with meals
20 only, and to issue new licenses authorized under said acts without such requirement, but subject
21 to all other conditions specified in said acts and in the foregoing question and to grant seasonal
22 licenses for the same. The board of selectmen may issue regulations for the granting of licenses
23 under this act and to define terms appropriate for that purpose.

24 SECTION 2. This act shall take effect upon its passage.