

SENATE No. 1325

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 relative to local opt-in for permanent outdoor dining.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>3/6/2023</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>10/10/2023</i>

SENATE No. 1325

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 1325) of Bruce E. Tarr and Patrick M. O'Connor for legislation relative to local opt-in for permanent outdoor dining. Municipalities and Regional Government.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2594 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to local opt-in for permanent outdoor dining.

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

1 Notwithstanding chapter 40A of the general laws or any special permit, variance or any
2 other general or special law to the contrary, a city or town may approve requests for expansion of
3 outdoor table service or extensions of earlier granted approvals, including a local licensing
4 authority ("LLA") approving a request for a change description of licensed premises for the
5 purpose of permitting outdoor alcohol and or service. For the purposes of this section "outdoor
6 table service" shall mean restaurant service that includes food prepared on-site and under food
7 permits issued by municipal authorities pursuant to 105 CMR 590.00 that is served to seated
8 diners outside the restaurant building envelop, whether on a sidewalk, patio, deck, lawn, parking
9 area, or other outdoor space.