HOUSE DOCKET, NO. 1626 FILED ON: 1/20/2011

HOUSE . . . . . No. 1025

The Commonwealth of Massachusetts

PRESENTED BY:

Theodore C. Speliotis

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 passage of the accompanying:

An Act relative to the sale of distilled spirits at auction.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Theodore C. Speliotis	*13th Essex*

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HOUSE . . . . . No. 1025

By Mr. Speliotis of Danvers, a petition (accompanied by bill, House, No. 1025) of Theodore C. Speliotis relative to the licensing of certain auctioneers to sell alcoholic beverages not to be drunk on the premises. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

An Act relative to the sale of distilled spirits at auction.

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

Section 1. Chapter 138 of the General Laws is hereby amended by striking section 14A in its entirety and inserting after Section 14 the new following section:-

Section 14A: The local licensing authority in any city or town wherein the granting of licenses to sell all alcoholic beverages or wines, malt beverages, and distilled spirits may grant licenses for the sale of wine and distilled spirits at auction, not to be drunk on premises, to an applicant that is licensed as an auctioneer pursuant to chapter 100 for no less than 10 years. Each license shall describe the premises to which it applies and shall be granted only for premises which are either the principal place of business or headquarters of the applicant and legally zoned to allow such sales or which are the premises of a licensee under section 12 or 15. The amount of the license fee shall not exceed the minimum fee for holders of licenses under section 14. A holder of a license for the sale of wines and distilled spirits at auction shall be permitted to conduct such auctions on any day and at any time permitted under section 12. Applications shall be granted by the local licensing authority according to the local procedure for granting licenses under section 14.

A licensee who holds a license under this section may provide, without charge, on-premises sample wine and distilled spirits tastings for prospective customers if such wines and distilled spirits shall be available for sale at auction on said premises; provided, however, that no single serving of said wine or distilled spirits shall exceed ¼ of an ounce; and provided further, that such licensee shall control the dispensing of said wines and distilled spirits.