

SENATE No. 2493

Text of Senate amendment (Senator Eldridge) to the House Bill 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 (House, No. 4185).

The Commonwealth of Massachusetts

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In the One Hundred and Eighty-Ninth General Court
(2015-2016)
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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 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 4
4 additional licenses for the sale of wines and malt beverages to be drunk on the premises pursuant
5 to said section 12 of said chapter 138 to locations to be determined by the licensing authority in
6 accordance with this section. The licenses shall be subject to all of said chapter 138 except said
7 section 17.

8 (b) The licensing authority of the town of Acton shall restrict the licenses authorized in
9 this section as follows: (i) 5 licenses for the sale of all alcoholic beverages and 2 licenses for the
10 sale of wines and malt beverages shall be restricted to entities located within the Kelley’s Corner,
11 West Acton Village and Village residential districts; (ii) 2 licenses for the sale of all alcoholic
12 beverages and 1 license for the sale of wines and malt beverages shall be restricted to entities
13 located within the Limited Business and East Acton Village districts; and (iii) 2 licenses for the
14 sale of all alcoholic beverages and 1 license for the sale of wines and malt beverages shall be

15 unrestricted and shall be available to entities located in any area within the town of Acton where
16 restaurants are allowed or permitted by zoning.

17 (c) Notwithstanding section 12 chapter 138 of the General Laws, the licensing authority
18 may restrict the licenses issued pursuant to this section to holders of common victualler licenses.

19 (d) The licensing authority may approve the transfer of a license issued pursuant to this
20 section to another location; provided, however, that the license shall remain subject to the
21 location restriction set forth in subsection (b) that applied to the license as initially issued. The
22 licensing authority shall only approve such transfer if the applicant files with the licensing
23 authority a letter from the department of revenue and a letter from the department of
24 unemployment assistance indicating that the license is in good standing with those departments
25 and that all applicable taxes, fees and contributions have been paid.

26 (e) If a license granted pursuant to this section is cancelled, revoked or no longer in use, it
27 shall be returned physically, with all of the legal rights, privileges and restrictions pertaining
28 thereto, to the licensing authority and the licensing authority may then grant the license to a new
29 applicant under the same conditions as specified in this section.

30 SECTION 2. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the
31 licensing authority of the town of Acton may grant 7 additional licenses for the sale of all
32 alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 and 2
33 additional licenses for the sale of wines and malt beverages to be drunk on the premises pursuant
34 to said section 12 of said chapter 138 to locations to be determined by the licensing authority in
35 accordance with this section. The licenses shall be subject to all of said chapter 138 except said
36 section 17.

37 (b) The licensing authority of the town of Acton shall restrict the licenses authorized in
38 this section as follows: (iii) 3 licenses for the sale of all alcoholic beverages and 1 license for the
39 sale of wines and malt beverages shall be restricted to entities located within the Kelley's Corner,
40 West Acton Village and Village Residential districts; (ii) 2 licenses for the sale of all alcoholic
41 beverages shall be restricted to entities located within the Limited Business and East Acton
42 Village districts; and (iii) 2 licenses for the sale of all alcoholic beverages and 1 license for the
43 sale of wines and malt beverages shall be unrestricted and available to entities located in any area
44 within the town of Acton where restaurants are allowed or permitted by zoning.

45 (c) Notwithstanding section 12 of chapter 138 of the General Laws, the licensing
46 authority may restrict the licenses issued pursuant to this section to holders of common victualler
47 licenses.

48 (d) The licensing authority may approve the transfer of a license issued pursuant to this
49 section to another location; provided, however, that the license shall remain subject to the
50 location restriction set forth in subsection (b) that applied to the license as initially issued. The
51 licensing authority shall only approve such transfer if the applicant files with the licensing
52 authority a letter from the department of revenue and a letter from the department of
53 unemployment assistance indicating that the license is in good standing with those departments
54 and that all applicable taxes, fees and contributions have been paid.

55 (e) If a license granted pursuant to this section is cancelled, revoked or no longer in use, it
56 shall be returned physically, with all of the legal rights, privileges and restrictions pertaining
57 thereto, to the licensing authority and the licensing authority may then grant the license to a new
58 applicant under the same conditions as specified in this section.

59 SECTION 3. Section 1 shall take effect upon its passage.

60 SECTION 4. Section 2 shall take effect on January 1, 2018 or upon the issuance of all of
61 the licenses authorized in section 1, whichever first occurs.