HOUSE DOCKET, NO. 1084 FILED ON: 1/13/2009

HOUSE . . . . . No. 246

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act further regulating the sale of alcoholic beverages..

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. Section 34 of chapter 138 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by adding the following paragraph:-

A licensee may bring a civil action agreement against a person who violates this section by furnishing or procuring such beverage or alcohol for a person under 21 years of age if the violation occurs on the premises of the licensee under Section 12 or generally under Section 15. If judgment is entered in favor of the licensee, the court shall award civil damages in the amount of $1,000 and award reasonable costs and reasonable attorney fees.

SECTION 2. Chapter 138 of the General Law is hereby amended by inserting after section 34 the following section:-

Section 34A ½ . A licensee licensed under Section 12 of this chapter shall include on any food and/or drink menu offered to patrons on the licensed premises the following: "WARNING": A person who provides alcoholic beverages to a person under 21 years of age, if convicted under section 34 could be in imprisoned for up to 1 year and fined up to $2,000 or both

such imprisonment and fine. The license or permit holder shall include the warning in a manner that would make them conspicuous to a person who will be purchasing or consuming alcoholic beverages on the licensed premises.

A licensee licensed under Section 15 of this Chapter shall post on the licensed premise the following sign which shall be at least 11 inches by 14 inches and the following shall be at least one-half inch high. The sign must read: “WARNING”: A person who provides alcoholic beverages to a person under 21 years of age, if convicted under section 34 could be in imprisoned for up to 1 year and fined up to $2,000 or both such imprisonment and fine. The license or permit holder shall include the warning in a manner that would make them conspicuous to a person who will be purchasing or consuming alcoholic beverages on the licensed premises.