

**HOUSE . . . . . No. 178**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Matthew A. Beaton*

*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 regulating the sale of malt beverages.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Matthew A. Beaton</i>	<i>11th Worcester</i>	<i>1/18/2013</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>1/31/2013</i>
<i>John P. Fresolo</i>	<i>16th Worcester</i>	<i>2/1/2013</i>
<i>Donald Humason</i>		<i>2/1/2013</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>	<i>2/1/2013</i>
<i>Keiko M. Orrall</i>	<i>12th Bristol</i>	<i>2/1/2013</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>	<i>1/29/2013</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>2/1/2013</i>

**HOUSE . . . . . No. 178**

By Mr. Beaton of Shrewsbury, a petition (accompanied by bill, House, No. 178) of Matthew A. Beaton and others relative to the sale of malt beverages. Consumer Protection and Professional Licensure.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act regulating the sale of malt beverages.

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

1 Chapter 138 of the General Laws is hereby amended by inserting at the end of Section 15  
2 the following subsection:-

3 (a) Notwithstanding any general or special law to the contrary, any licensee with or  
4 without an onsite brewery and holding a valid license for off-premise consumption of malt  
5 beverages shall have the right to sell malt beverages for off-premise consumption, provided  
6 however,

7 (b) that all malt beverages shall be dispensed in non-clear glass bottles of 64 ounces  
8 in volume;

9 (c) provided further that a deposit may be charged per bottle; and provided, further,  
10 that

11 (d) the bottle in which the malt liquor is dispensed shall be sealed by the licensee and  
12 shall abide by all federal and state standards for appropriate warnings and labels;

13 (e) and provided, further, that all sales of malt beverages from the vendor for off-  
14 premise consumption shall be accompanied by a sales receipt with a time stamp that indicates  
15 time of purchase; and provided, further, that;

16 (f) malt beverages dispensed in accordance with this subsection must be consumed  
17 off the premises; and provided, further, that;

18 (g) sales of malt liquor in accordance with this subsection may be made during  
19 normal business hours but not between the hours of 9pm and 11am; and provided, further;

20 (h) in order to dispense malt beverages in accordance with this subsection, the vendor  
21 shall obtain written authorization from the manufacturer of malt beverages and;

22 (i) said authorization may be revoked at any moment if the vendor violates the terms  
23 or any additional terms added by the manufacturer within their agreement;

24 (j) a Bottle Exchange Program must be implemented so only professionally cleaned  
25 growlers are filled when exchanged for used ones;

26 (k) 80% of the taps in any retail location must carrying products of Massachusetts  
27 Breweries.