HOUSE DOCKET, NO. 4336 FILED ON: 6/19/2014

HOUSE . . . . . No. 4207

The Commonwealth of Massachusetts

PRESENTED BY:

Jerald A. Parisella

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 authorizing the city of Beverly to issue additional liquor licenses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Jerald A. Parisella	*6th Essex*	*6/19/2014*
Joan B. Lovely	*Second Essex*	*6/19/2014*

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By Mr. Parisella of Beverly, a petition (accompanied by bill, House, No. 4207) of Jerald A. Parisella and Joan B. Lovely (with the approval of the mayor and city council) relative to authorizing the city of Beverly to issue certain additional alcoholic beverage licenses. Consumer Protection and Professional Licensure. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act authorizing the city of Beverly to issue additional liquor licenses.

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. Notwithstanding section 17 of Chapter 138 of the General Laws, the licensing authority of the city of Beverly may issue: (a) (1) additional license for the sale of wine and malt beverages to be drunk on the premises pursuant to section 12 of said chapter 138; and (b) (6) additional licenses for the sale of all alcoholic beverages to be drunk on premises, pursuant to section 12 of said Chapter 138, with 3 of these 6 licenses to be restricted to establishments with seating capacities of not more than 150 persons. The licenses shall be subject to all of said Chapter 138 except said section 17. The licensing board may restrict the all-alcoholic beverage license to a holder of a common victualler license.

SECTION 2. Notwithstanding sections 12 and 15 of chapter 138 of the General Laws, any license authorized by and issued pursuant to this Act may be subject to an initial, one-time acquisition fee, the amount to be determined by the city of Beverly, in addition to the existing annual license fee applicable in the city of Beverly for the sale of all alcoholic beverages to be drunk on premises or for the sale of all alcoholic beverages not to be drunk on the premises; provided such fee is to be due and payable upon the original granting of any such license and also upon reissuance of any such license pursuant to this act.

SECTION 3. Notwithstanding section 16B of chapter 138 of the General Laws, the City of Beverly shall have discretion regarding whether to accept for filing an application seeking the issuance of a license authorized by this Act. Upon such acceptance, an application will be subject to section 16B.

SECTION 4. Any license issued under this Act shall not be transferable to any other person, corporation, entity, or organization. If a license issued under this Act is revoked, surrendered, or no longer in use at the location of original issuance, it shall be returned physically, with all of the legal rights and privileges pertaining thereto, to the licensing authority, which may then issue the license to a new applicant only at the same location under the same conditions as specified in this Act provided that the applicant files a letter in writing from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with the those entities and that all applicable taxes, fees, and contributions have been paid.

SECTION 5. This Act shall take effect upon its passage.