

HOUSE No. 4452

Substituted, on motion of Mr. Speliotis of Danvers, for a bill with the same title (House, No. 220). June 29, 2016.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to the sale of alcoholic beverages at in-house cafes.

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

1 SECTION 1. The first paragraph of section 15 of chapter 138 of the General Laws, as
2 appearing in the 2014 Official Edition, is hereby amended by striking out the ninth sentence.

3 SECTION 2. Said section 15 of said chapter 138, as so appearing, is hereby further
4 amended by inserting after the first paragraph the following 2 paragraphs:-

5 Not more than 1 location shall be included in any license issued under this section, nor
6 shall any location or premises for which a license has been granted under section 12 be included
7 therein or connected therewith.

8 Notwithstanding the preceding paragraph, a common victualler duly licensed to operate a
9 restaurant under chapter 140 and holding a license under section 12 may be connected to a
10 premises licensed under this section provided that: (1) at least 50 per cent of the revenue
11 generated at the premises licensed under this section is derived from the sale of grocery items as
12 defined in section 184B of chapter 94; (2) the total area of the premises licensed under this

13 section is no less than 70,000 square feet; (3) the connection between, and design of, the 2
14 premises so licensed, including interior connections, which shall be allowed, clearly delineates
15 the 2 premises in such a way as to make the boundaries of each licensed premises clearly
16 separate and identifiable to customers, wholesalers and regulatory authorities, and enables the
17 respective premises to maintain control of the licensed area, egress, and the sale, storage and
18 service of alcoholic beverages in accordance with this chapter; and (4) alcoholic beverages to be
19 sold at the restaurant pursuant to section 12 shall be purchased and maintained by the common
20 victualler separately from any alcoholic beverages to be sold for consumption off the premises
21 pursuant to this section. Notwithstanding the provision of section 17 prohibiting local licensing
22 authorities from granting licenses to any person, firm or corporation under more than 1 section of
23 this chapter, the same person, firm or corporation may hold the license for the premises under
24 this section and the license for the connected premises under section 12.