

HOUSE No. 4377

The Commonwealth of Massachusetts

PRESENTED BY:

Timothy R. Whelan

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 relative to licensing of liquor retailers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>2/5/2018</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>	<i>2/6/2018</i>

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By Mr. Whelan of Brewster, a petition (subject to Joint Rule 12) of Timothy R. Whelan and William L. Crocker, Jr., relative to licensing of liquor retailers. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act relative to licensing of liquor retailers.

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. Section 1 of Chapter 138 of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by inserting in line 7, after the words “degrees Fahrenheit”
3 the following:-

4 “Chain Store”, means two (2) or more section 15 licenses held by the same person, or by
5 the same partnership or corporation in either case having identical ownership, or two (2) or more
6 such licenses with common ownership having executed a chain store agreement, engaged in
7 operations designed to achieve a common result in the purchasing of alcoholic beverages, the
8 pricing of alcoholic beverages, marketing, use of a common trade name, accounting and
9 purchasing insurance.

10 “Chain Store Agreement”, is a written agreement between section 15 licenses having
11 common ownership, but not identical ownership, authorizing the licenses within the retail chain

to achieve a common result in the purchasing of alcoholic beverages, the pricing of alcoholic beverages, and marketing, use of a common trade name, accounting and purchasing insurance.

Section 2. Section 1 of Chapter 138 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting in line 30, after the words “chapter 10” the following:-

“Common Ownership”, the same person, or the same partnership or corporation in either case having identical ownership, holding at least fifty-one (51%) percent ownership, but less than one hundred (100%) percent ownership, of two (2) or more licenses issued under section 15.

Section 3. Section 15 of Chapter 138 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting in line 31, after the words “in a city” the following:-

“Upon application the commission shall issue to a person, partnership, corporation or common ownership, holding two (2) or more licenses, not to exceed seven (7) licenses, a chain store designation for the purpose of allowing the purchase of alcoholic beverages for all such licenses as a single chain store.”

Section 4. Section 15 of Chapter 138 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting in line 96, after the words “in a city” the following:-

“Upon application the commission shall issue to a person, partnership, corporation or common ownership, holding two (2) or more licenses, not to exceed nine (9) licenses, a chain

32 store designation for the purpose of allowing the purchase of alcoholic beverages for all such
33 licenses as a single chain store.”