

HOUSE No. 5015

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 12, 2022.

The committee on Consumer Protection and Professional Licensure to whom were referred the petition (accompanied by bill, Senate, No. 2556) of Ryan C. Fattman and Peter J. Durant (by vote of the town) for legislation to authorize the town of Dudley to grant additional licenses for the sale of all alcoholic beverages to be drunk off the premises and the petition (accompanied by bill, House, No. 4187) of Peter J. Durant and Ryan C. Fattman (by vote of the town) that the town of Dudley be authorized to grant three additional licenses for the sale of all alcoholic beverages to be drunk off the premises in said town, reports recommending that the accompanying bill (House, No. 5015) ought to pass [Local Approval Received].

For the committee,

TACKEY CHAN.

HOUSE No. 5015

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act authorizing the town of Dudley to grant additional licenses for the sale of all alcoholic beverages to be drunk off the premises.

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. (a) Notwithstanding Section 17 of chapter 138 of the General Laws, the
2 local licensing authority of the town of Dudley may grant an additional license for the sale of all
3 alcoholic beverages not to be drunk on the premises pursuant to section 15 of said chapter 138
4 issued to Om Shiv Corporation d/b/a Patriot Gas, located at 251 West Main Street in the town of
5 Dudley. The license shall be subject to all of said chapter 138, except said section 17.

6 (b) The licensing authority shall not approve the transfer of a license granted under this
7 section to any other location, but it may grant a license to a new applicant at the same location if
8 the applicant files with the licensing authority a letter from the department of revenue and a letter
9 from the department of unemployment assistance indicating that the license is in good standing
10 with those departments and that all applicable taxes, fees and contributions have been paid.

11 (c) If a licensee terminates or fails to renew a license granted under this section or any
12 such license is cancelled, revoked or no longer in use, it shall be returned physically, with all of
13 the legal rights, privileges and restrictions pertaining thereto, to the licensing authority which

14 may, within 1 year after such return, then grant the license to a new applicant at the same
15 location under the same conditions as specified in this section, otherwise such license shall
16 dissolve.

17 (d) All licenses granted pursuant to this section shall be issued not later than 1 year after
18 the effective date of this act; provided, however, that a license originally granted within that time
19 period may be granted to a new applicant pursuant to subsection (b) or (c) thereafter.

20 SECTION 2. Upon the issuance of the license authorized under section 1 to Om Shiv
21 Corporation d/b/a Patriot Gas, located at 251 West Main Street in the town of Dudley, the
22 licensee shall return physically, with all of the legal rights, privileges and restrictions pertaining
23 thereto, to the licensing authority, its license for the sale of wine and malt beverages not to be
24 drunk on the premises pursuant to section 15 of chapter 138 of the General Laws.

25 SECTION 3. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the
26 local licensing authority of the town of Dudley may grant an additional license for the sale of all
27 alcoholic beverages not to be drunk on the premises pursuant to section 15 of said chapter 138 to
28 establishments located within the town's "UCH-TIF District," as that district is defined by the
29 town's zoning map as it existed as of January 25, 2022, upon approval of and under the
30 conditions set by the licensing authority of the town of Dudley, a copy of which is on file in the
31 office of the town clerk of the town of Dudley. The license granted pursuant to this section shall
32 be clearly marked on its face "UCH-TIF District" and shall be subject to all of said chapter 138
33 except said section 17.

34 (b) The licensing authority of the town of Dudley shall not approve the transfer of the
35 license granted pursuant to this section to a location outside of the town's "UCH-TIF District"

36 but it may grant the license to a new applicant within the “UCH-TIF District” if the applicant
37 files with the local licensing authority a letter from the department of revenue and a letter from
38 the department of unemployment assistance indicating that the license is in good standing with
39 those departments and that all applicable taxes, fees and contributions have been paid.

40 (c) The license granted pursuant to this act shall not be sold or transferred by the licensee.
41 If a licensee terminates or fails to renew a license granted to an establishment located within the
42 town’s “UCH-TIF District” pursuant to this section or if any such license is cancelled, revoked
43 or no longer in use, it shall be returned physically, with all of the legal rights, privileges and
44 restrictions pertaining thereto, to the licensing authority and the licensing authority may then
45 grant the license to a new applicant in the town’s “UCH-TIF District” under the same conditions
46 as specified in this section.

47 (d) The license granted pursuant to this section shall be issued within 3 years after the
48 effective date of this act; provided, however, that if the license is originally granted within that
49 time period, the license may be granted to a new applicant pursuant to subsection (b) or (c) any
50 time thereafter.

51 SECTION 4. This act shall take effect upon its passage.