

# HOUSE . . . . . No. 5395

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, November 21, 2022.

The committee on Consumer Protection and Professional Licensure to whom was referred the petition (accompanied by bill, House, No. 5372) of Jeffrey N. Roy (by vote of the town) that the town of Franklin be authorized to grant one additional license for the sale of all alcoholic beverages not to be drunk on the premises in said town, reports recommending that the accompanying bill (House, No. 5395) ought to pass [Local Approval Received].

For the committee,

TACKEY CHAN.

**HOUSE . . . . . No. 5395**

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**The Commonwealth of Massachusetts**

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

An Act authorizing the city known as the town of Franklin to grant an additional all alcoholic beverages not to be drunk on the premises alcoholic beverages license.

*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 city  
2 known as the town of Franklin acting through the Franklin town council, as the local licensing  
3 authority, may grant an alcoholic beverages license pursuant to section 15 of said chapter 138,  
4 for the sale at retail of all alcoholic beverages not to be drunk on the premises to MADD Deli,  
5 Inc., d/b/a Dacey’s Market, located at 353 Lincoln street in the town of Franklin. The Franklin  
6 town council shall grant said license only after compliance with the publication, notice, and  
7 hearing requirements contained in section 15A of said chapter 138, and its determination that the  
8 grant of said license satisfies the public need. The license granted pursuant to this section shall  
9 be subject to all of said chapter 138 except section 17.

10           (b) The licensing authority shall not approve the transfer of the license granted pursuant  
11 to this section to any other location, but it may grant the license to a new applicant at the same  
12 location if the applicant files with the licensing authority a letter from the department of revenue  
13 and a letter from the department of unemployment assistance indicating that the license is in

14 good standing with those departments and that all applicable taxes, fees and contributions have  
15 been paid.

16 (c) If a licensee terminates or fails to renew a license granted under this section or any  
17 such license is canceled, revoked or no longer in use, it shall be returned physically, with all of  
18 the legal rights, privileges and restrictions pertaining thereto, to the licensing authority which  
19 may, within 3 years after such return, then grant the license to a new applicant at the same  
20 location under the same conditions as specified in this section, otherwise such license shall  
21 dissolve.

22 (d) The license granted under this section shall be issued within 1 year after the effective  
23 date of this act; provided, however, that a license originally granted within that time period may  
24 be granted to a new applicant under subsections (b) and (c) thereafter.

25 SECTION 2. Upon the issuance of the license in accordance with this act, chapter 382 of  
26 acts of 2020 shall be repealed.

27 SECTION 3. This act shall take effect upon its passage.