

HOUSE No. 4688

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 30, 2024.

The committee on Consumer Protection and Professional Licensure, to whom was referred the joint petition (accompanied by bill, House, No. 4588) of Todd M. Smola and Jacob R. Oliveira (by vote of the town) that the town of Palmer be authorized to issue two additional licenses for the sale of all alcoholic beverages to be drunk on the premises and one additional license for the sale of all alcoholic beverages not to be drunk on the premise in said town, reports recommending that the accompanying bill (House, No. 4688) ought to pass. [Local Approval Received.]

For the committee,

TACKEY CHAN.

HOUSE No. 4688

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**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act authorizing the town of Palmer to grant additional licenses for the sale of all alcoholic beverages.

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 licensing authority of the town of Palmer may grant 3 additional licenses for the sale of all
3 alcoholic beverages as follows: (i) 1 license for the sale of all alcoholic beverages to be drunk on
4 the premises pursuant to section 12 of said chapter 138 to Tables at the Farm located at 3092
5 Palmer St, and 1 license for the sale of all alcoholic beverages to be drunk on the premises
6 pursuant to said section 12 of said chapter 138 to Don Juans Cantina Palmer LLC located at 1519
7 N. Main St.; and (ii) 1 license for the sale of all alcoholic beverages not to be drunk on the
8 premises pursuant to section 15 of said chapter 138 to Lukes' located at 1478 N. Main St. The
9 licenses granted under this section shall be subject to all of the said chapter 138 except said
10 section 17.

11 (b) A license granted under clause (i) of subsection (a) of this section shall only be
12 exercised in the dining room of a common victualler and other public rooms or areas considered
13 reasonable and appropriate by the licensing authority as certified in writing.

14 (c) The licensing authority shall not approve the transfer of a license granted pursuant to
15 this section to any other location, but it may grant the license to a new applicant at the same
16 location if the applicant files with the licensing authority a letter from the department of revenue
17 and a letter from the department of unemployment assistance indicating that the license is in
18 good standing with those departments and that all applicable taxes, fees and contributions have
19 been paid.

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

26 (e) A license granted under this section shall be issued within 1 year after the effective
27 date of this act; provided, however, that a license originally granted within that time period may
28 be granted to a new applicant under subsections (c) and (d) thereafter.

29 SECTION 2. Upon issuance of the license authorized in clause (ii) of subsection (a) of
30 section 1, the licensee shall return physically, with all of the legal rights, privileges and
31 restrictions pertaining thereto, to the licensing authority, its license for the sale of wine and malt
32 beverages not to be drunk on the premises under section 15 of chapter 138.

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