

HOUSE No. 4696

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 30, 2024.

The committee on Ways and Means, to whom was referred the Bill authorizing additional licenses for the sale of alcoholic beverages to be drunk on the premises in Boston (House, No. 3741), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4696) [Local Approval Received].

For the committee,

AARON MICHLEWITZ.

HOUSE No. 4696

The Commonwealth of Massachusetts

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

An Act authorizing additional licenses for the sale of alcoholic beverages to be drunk on the premises in Boston.

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 17 of chapter 138 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by striking out, in line 101, the figure “665” and inserting in
3 place thereof the following figure:- 672.

4 SECTION 2. (a) Notwithstanding section 17 of chapter 138 of the General Laws or any
5 other law, rule, regulation, or provision to the contrary, the licensing board for the city of Boston
6 may grant up to 3 non-transferable restricted licenses for the sale of all alcoholic beverages to be
7 drunk on the premises pursuant to section 12 of said chapter 138 and 2 non-transferable
8 restricted licenses for the sale of wines and malt beverages to be drunk on the premises pursuant
9 to section 12 of said chapter 138 annually for a period of 3 years, beginning in the calendar year
10 during which this act becomes effective, in each of the ZIP codes of 02119, 02121, 02122,
11 02124, 02125, 02126, 02128, 02129, 02130, 02131, 02132, and 02136 as of the effective date of
12 this act. Licenses shall remain available until granted. A license not granted by the board in a
13 given year pursuant to this section shall be rolled over to the following year until all such

14 licenses are distributed pursuant to this section. A license granted pursuant to this section shall be
15 clearly marked “nontransferable” and “neighborhood restricted” on its face.

16 (b) A license granted pursuant to this section if canceled or revoked shall be returned
17 physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the
18 licensing board and the licensing board may then grant that license to a new applicant in the
19 same ZIP code where the original license was granted.

20 (c) A license granted pursuant to this section shall require food to be prepared on-site and
21 under a food establishment permit issued by a municipal authority pursuant to 105 CMR 590.00.

22 SECTION 3. (a) Notwithstanding section 17 of chapter 138 of the General Laws or any
23 other law, rule, regulation, or provision to the contrary, the licensing board for the city of Boston
24 may grant 3 non-transferable restricted licenses for the sale of all alcoholic beverages to be drunk
25 on the premises pursuant to section 12 of said chapter 138 in the Oak Square section of Brighton
26 in the city of Boston.

27 (b) If a licensee terminates or fails to renew a license granted under this section or if any
28 such license granted under this section is cancelled, revoked or no longer in use, the license shall
29 be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto,
30 to the licensing board and the licensing board may then grant that license to a new applicant in
31 the Oak Square section of Brighton in the city of Boston under the same conditions as specified
32 in this section. The licensing board shall not approve the transfer of the license granted pursuant
33 to this section to a location outside of the Oak Square section of Brighton in the city of Boston.

34 (c) A license granted pursuant to this section shall require food to be prepared on-site and
35 under a food establishment permit issued by a municipal authority pursuant to 105 CMR 590.00.

36 SECTION 4. (a) Notwithstanding section 17 of chapter 138 of the General Laws or any
37 other law, rule, regulation, or provision to the contrary, the licensing board for the city of Boston
38 may grant 15 non-transferable restricted licenses for the sale of all alcoholic beverages pursuant
39 to section 12 of said chapter 138 to community spaces, including outdoor spaces, theaters and
40 other non-profit organizations in the city of Boston to be drunk on the premises pursuant to said
41 section 12 of said chapter 138; provided, however, that no theater with an occupancy limit of 750
42 or more shall receive a license pursuant to this section.

43 (b) If a licensee terminates or fails to renew a license granted pursuant to this section or if
44 a license is cancelled, revoked or no longer in use, the license shall be returned physically, with
45 all of the legal rights, privileges and restrictions pertaining thereto, to the licensing board and the
46 licensing board may then grant that license to a new applicant that is a community space, theater
47 or other non-profit organization in the city of Boston consistent with subsection (a). The
48 licensing board shall not approve the transfer of the license granted pursuant to this section to a
49 licensee outside of the scope of the license pursuant to subsection (a).

50 SECTION 5. This act shall take effect upon passage.