HOUSE DOCKET, NO. 2913 FILED ON: 1/16/2025

HOUSE . . . . . No. 414

The Commonwealth of Massachusetts

PRESENTED BY:

Kristin E. Kassner

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 outdoor dining.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Kristin E. Kassner	*2nd Essex*	*1/16/2025*

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HOUSE . . . . . No. 414

By Representative Kassner of Hamilton, a petition (accompanied by bill, House, No. 414) of Kristin E. Kassner relative to outdoor dining. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act relative to outdoor dining.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 138 of the General Laws is hereby amended by inserting in section 1 the following definition:-

"Outdoor table service", restaurant service that includes food prepared on-site and under a food establishment permit issued by a municipal authority pursuant to 105 CMR 590.00 that is served to seated diners outside the restaurant building envelope, whether on a sidewalk, patio, deck, lawn, parking area or other outdoor space.

SECTION 2. Chapter 138 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting after Section 12C, the following section:-

Section 12D. A local licensing authority may grant approval for a change in the description of the licensed premises for the purpose of permitting outdoor alcohol service, as the local licensing authority deems reasonable and proper, and issue an amended license to existing license holders, without further review or approval from the commission prior to issuance. Upon

approval of an amended license, the local licensing authority shall provide notice of the amended license to the commission. Nothing in this section shall prevent the commission from exercising the commission's enforcement authority over an amended license.

SECTION 3. Section 3B of Chapter 40A of the General Laws of 2024 is hereby repealed.