

HOUSE No. 4188

The Commonwealth of Massachusetts

PRESENTED BY:

Paul McMurtry and Michael F. Rush

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 authorizing the town of Westwood to grant licenses for the sale of all alcoholic beverages.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|------------------------|----------------------------|-----------------|
| <i>Paul McMurtry</i> | <i>11th Norfolk</i> | <i>6/2/2025</i> |
| <i>Michael F. Rush</i> | <i>Norfolk and Suffolk</i> | <i>6/2/2025</i> |

HOUSE No. 4188

By Representative McMurtry of Dedham and Senator Rush, a joint petition (accompanied by bill, House, No. 4188) of Paul McMurtry and Michael F. Rush (by vote of the town) that the town of Westwood be authorized to grant licenses for the sale of all alcoholic beverages in said town. Consumer Protection and Professional Licensure. [Local Approval Received.]

The Commonwealth of Massachusetts

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

An Act authorizing the town of Westwood to grant 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. Notwithstanding Section 17 of Chapter 138 of the General Laws, the
2 licensing authority of the Town of Westwood may grant licenses for the sale of all alcoholic
3 beverages, not to be drunk on the premises, under Section 15 of said Chapter 138, to food stores
4 with retail floor area of 20,000 square feet or more. Except as otherwise provided herein, such
5 licenses shall be subject to said Chapter.

6 For the purposes of this act, a “food store with retail floor area of 20,000 square feet or
7 more” shall mean a grocery store or supermarket with a retail floor area of at least 20,000 square
8 feet which sells at retail, food for consumption on or off the gross premises either alone or in
9 combination with grocery items or other non-durable items typically found in a grocery store and
10 sold to individuals for personal family or household use; provided, however, that such food
11 store shall carry fresh and processed meats, poultry, dairy products, eggs, fresh fruits and

12 produce, baked goods and baking ingredients, canned goods and dessert items, notwithstanding
13 the foregoing, a food store shall not be a convenience store, specialty store, or any store that sells
14 gasoline; provided, however, that the Select Board shall determine whether an applicant is an
15 eligible food store under this Act and pursuant to the licensing authority's regulations. In
16 making such determination, the Select Board shall consider such factors as the volume of sales,
17 actual or proposed, the extent and range of merchandise offered for sale, and such other
18 conditions as specified in the licensing authority's regulations. The holder of a license under this
19 Act may sell all alcoholic beverages alone or in combination with any other items offered for
20 sale and the licensed location must be within a commercial zoning district. The amount of any
21 initial or renewal fee for such license shall be determined by the licensing authority issuing or
22 renewing that license.

23 Notwithstanding any general or special law or any rule or regulation to the contrary, the
24 licensing authority shall not approve the transfer of a license to any other location, nor the
25 transfer of a license from one licensee to another.

26 If a license granted under this section is cancelled, revoked or no longer in use, it shall be
27 returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to
28 the licensing authority which may grant a new license to a new applicant at the same or other
29 appropriate location and under the same conditions as specified in this section, in accordance
30 with the licensing authority's regulations and application requirements

31 SECTION 2. This act shall take effect upon its passage.