SENATE DOCKET, NO. FILED ON: 11/14/2011

SENATE . . . . . No. 2063

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act providing for annual caterer's licenses for the service of alcoholic beverages at private functions.

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

Chapter 138 of the General Laws is hereby amended by inserting after section 12B the following section:-

Section 12C. The commission may issue an annual caterer's license to an operator of a catering business for the sale and service of alcoholic beverages to be served and drunk on the premises where the operator caters a private event that is not open to the public; provided, however, that no such license shall be exercisable on premises located in a city or town wherein the granting of licenses under section 12 has not been authorized by that city or town. Caterers licensed pursuant to this section shall not serve alcoholic beverages at the caterer's principal place of business. A licensee under this section shall purchase all alcoholic beverages for resale from a wholesaler licensed pursuant to section 18 and shall maintain liquor liability insurance providing security for the liability of the licensee in a minimum amount of $250,000 on account of injury to or death of 1 person and $500,000 on account of any 1 accident resulting in injury to or death of more than 1 person. The service of alcoholic beverages shall not be for more than 5 hours during a catered event. All agents and employees of a licensed caterer who serve alcoholic beverages shall be certified by a nationally-recognized alcoholic beverages server training program.

A caterer licensed under this section shall, prior to 48 hours before the start of a catered event where alcoholic beverages will be served, notify, in writing, the police chief and the local licensing authority of the city or town wherein the event will be held with the following information:

(1) notice that alcoholic beverages will be served at an event in that city or town;

22 (2) a copy of the caterers' license;

23 (3) proof of liquor liability insurance; and

24 (4) emergency contact information of the manager of the catering company.

25 The commission, after notice to the licensee and reasonable opportunity to be heard, may
26 modify, suspend, revoke or cancel the license upon satisfactory proof that the licensee violated or
27 permitted a violation of a condition of the license or of any law of the commonwealth or
28 regulation of the commission. The decision of the commission shall be final and conclusive. A
29 caterer's license shall authorize the licensee to store, transport, sell and deliver alcoholic
30 beverages in the ordinary course of the licensee's business. Alcoholic beverages may be stored
31 only on the premises owned by the licensee or that the licensee has the exclusive right to occupy.
32 The license shall be renewable annually and shall be subject to an annual fee of $1,500.