

**HOUSE . . . . . No. 02700**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Paul McMurtry*

*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 passage of the accompanying bill:

The Private Function Caterers' Act of 2011.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>David M. Nangle</i>	<i>17th Middlesex</i>
<i>Elizabeth Poirier</i>	<i>14th Bristol</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>George Ross</i>	<i>2nd Bristol</i>
<i>Donald Wong</i>	<i>9th Essex</i>

# HOUSE . . . . . No. 02700

By Mr. McMurtry of Dedham, a petition (accompanied by bill, House, No. 2700) of Wong and others for legislation to authorize the issuance of annual licenses for the sale of all alcoholic beverages to be drunk on the premises to operators of catering businesses Joint Committee on Consumer Protection and Professional Licensure.

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

The Private Function Caterers' Act of 2011.

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

- 1 Whereas, caterers are in the business of accomodating their customers wishes at private parties;
- 2 Whereas, catering private functions is one of the economic engines driving growth in the
- 3 hospitality industry; Whereas, hosts at private functions very often request service of beverage
- 4 alcohol for their guests; Whereas, the general public interests are best served by the responsible
- 5 service of alcohol by trained professionals; Whereas, the need exists for the Commonwealth to
- 6 address alcohol service at private functions; now, therefore may
  
- 7 Massachusetts General Law Chapter 138, Section 12, as most recently amended, is further
- 8 amended by adding the following paragraph:
  
- 9 The Commission may issue an annual caterer’s license to an operator of a catering business for
- 10 the sale and service of all alcoholic beverages to be served and drunk on the premise(s) where

11 the operator is catering a private event that is not open to the public, provided the premise(s) is in  
12 a city or town where the granting of a license under §12 to sell alcoholic beverages is authorized.

13 The holder of a caterer's license shall purchase all alcoholic beverages for resale from a  
14 wholesaler licensed pursuant to §18 and shall maintain liquor liability insurance providing  
15 security for the liability of the licensee in a minimum amount of \$250,000 on account of injury to  
16 or death of more than one (1) person. The service of alcoholic beverages shall not be for more  
17 than five (5) hours during any catered event. All agents and employees of a licensed caterer who  
18 serve alcoholic beverages shall be certified by a nationally recognized alcoholic beverages server  
19 training program. The decision of the Commission shall be final and conclusive.

20 A caterer's license shall authorize the licensee to store, transport and deliver alcoholic beverages  
21 in the ordinary course of the licensee's business. Alcoholic beverages may be stored only on  
22 premises owned by the licensee or that the licensee has the exclusive right to occupy. The  
23 license shall be renewable annually and the annual fee shall be two thousand five hundred dollars  
24 (\$1,500).

25 The Commission after notice to the licensee and reasonable opportunity to be heard may modify,  
26 suspend, revoke or cancel the license upon satisfactory proof that the licensee violated or  
27 permitted a violation of any condition thereof, any law of the Commonwealth or any regulation  
28 of the Commission.