

**HOUSE . . . . . No. 3323**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Paul Tucker and Joan B. Lovely*

*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 city of Salem to issue additional licenses for the sale of alcoholic beverages.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Paul Tucker*

*7th Essex*

*Joan B. Lovely*

*Second Essex*

**HOUSE . . . . . No. 3323**

By Representative Tucker of Salem and Senator Lovely, a joint petition (accompanied by bill, House, No. 3323) of Paul Tucker and Joan B. Lovely (with the approval of the mayor and city council) that the city of Salem be authorized to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises. Consumer Protection and Professional Licensure. [Local Approval Received.]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court  
(2015-2016)

An Act authorizing the city of Salem to issue additional licenses for the sale of 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 city of Salem may grant 1 additional license for the sale of all alcoholic  
3 beverages to be drunk on the premises under section 12 of said chapter 138 to Cinemaworld of  
4 Florida, Inc., to be located at 355-373 Highland Avenue in the city of Salem. The license shall be  
5 subject to all of said chapter 138 except section 17.

6 Notwithstanding any general or special law, or any rule or regulation to the contrary, the  
7 alcohol licensing authority of the city of Salem shall not approve the transfer of the license to  
8 any other location. The license may be granted by the alcohol licensing authority of the city of  
9 Salem at the same location if an applicant for the license files with the authority a letter in  
10 writing from the department of revenue and from the department of unemployment assistance

11 indicating that the license is in good standing with those departments and that all applicable  
12 taxes, fees and contributions.

13 If the license granted under this section is cancelled, revoked or no longer in use, it shall  
14 be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto,  
15 to the alcohol licensing authority of the city of Salem.

16 Notwithstanding section 17 or chapter 138 of the General Laws or any other general or  
17 special law to the contrary, the alcohol licensing authority of the city of Salem may then grant  
18 the license to a new applicant at the same location and under the same conditions as specified in  
19 the preceding paragraph.

20 SECTION 2.(a) The fee charged by the city of Salem for the issuance of a new license  
21 issued pursuant to this act shall be paid by the licensee to the city in full at the time of issuance,  
22 unless the licensing authority agrees to enter into an arrangement with the recipient of a license  
23 which would enable the fee to be divided into multiple payments or prorated over multiple  
24 periods of time.

25 (b) If the city of Salem charges a fee for the new license pursuant to this act which is  
26 greater than the amount of the fee charged for an annual renewal of a similar license issued by  
27 the city, then the city shall deposit the fee into its special economic development account  
28 established for the deposit of revenue from additional alcoholic beverage licenses issued  
29 pursuant to special acts and the fee charged shall be expended by the city in a manner consistent  
30 with the purposes of the account.

31 SECTION 3. This act shall take effect upon its passage.