

HOUSE No. 368

The Commonwealth of Massachusetts

PRESENTED BY:

Paul K. Frost

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 removing liquor license caps in communities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul K. Frost</i>	<i>7th Worcester</i>	<i>2/19/2021</i>

HOUSE No. 368

By Mr. Frost of Auburn, a petition (accompanied by bill, House, No. 368) of Paul K. Frost relative to removing liquor license caps in cities and towns. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to removing liquor license caps in communities.

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. Section 12 of chapter 138 of the General Laws, as appearing in the 2018
2 official edition, is hereby amended by striking out, in lines 79 to 81, inclusive, the words “,
3 notwithstanding any limitation on the number of licenses the city or town is authorized to grant
4 in section 17,” and inserting in place thereof the following words:- “pursuant to the municipal
5 plan as required by section 17.”

6 SECTION 2. Said section 12 of said chapter 138, as so appearing, is hereby further
7 amended by striking out, in lines 107 to 109, inclusive, the words “and irrespective of any
8 limitation of number of licenses contained in section seventeen”

9 SECTION 3. The first paragraph of section 14 of said chapter 138, as so appearing, is
10 hereby amended by striking out the first sentence and inserting in place thereof the following
11 sentence:- Special licenses for the sale of all alcoholic beverages or wine and malt beverages
12 only, or any of them, may be issued, as determined by the municipality, by the local licensing

13 authorities to the responsible manager of any indoor or outdoor activity or enterprise or to the
14 responsible manager of any nonprofit organization conducting any indoor or outdoor activity or
15 enterprise.

16 SECTION 4 . Section 17 of said chapter 138, as so appearing in the 2018 official edition,
17 is hereby amended by striking out the introductory paragraph and the first 4 paragraphs and
18 inserting in place thereof the following 3 paragraphs:-

19 Section 17. A city or town, except the city of Boston, shall determine the number of all
20 alcoholic beverage or wines and malt beverage licenses to be issued by its local licensing
21 authority under sections 12, 14 and 15F, including the number of seasonal licenses.

22 A city or town, except the city of Boston, that seeks to grant additional licenses on or
23 after January 1, 2022 under sections 12, 14 and 15F shall adopt a plan that is approved by the
24 mayor, city council or board of selectmen. The plan shall determine the process for granting
25 additional licenses; provided, however, that:

26 (i) at least 1 public hearing regarding the plan shall be conducted by the city council,
27 board of selectmen or governing body of the city or town; and (ii) the city or town shall notify
28 the alcoholic beverages control commission of the public hearing.

29 The governing body of each city or town, except the city of Boston, shall hold a public
30 hearing regarding a license application within 30 days of the date of the license application.