

HOUSE No. 3779

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to retail licenses for the sale of all alcoholic beverages at continuing care retirement 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. Chapter 138 of the General laws is hereby amended by inserting, after
2 section 12C, the following section:-

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4 Section 12D. (a) In a city or town wherein the granting of licenses to sell all alcoholic
5 beverages or wines and malt beverages only is authorized under this chapter, a local licensing
6 authority may grant a license for the sale of all alcoholic beverages or a license for the sale of
7 wines and malt beverages only to be served and drunk on the premises of a continuing care
8 community or retirement community as defined by section 76 of chapter 93 or an assisted living
9 residence defined under section 1 or chapter 19D (hereinafter collectively referred to as a
10 continuing care retirement community) pursuant to section 12 of chapter 138 of the General
11 Laws; provided, however, such licenses shall be subject to the approval of the commission and
12 irrespective of any limitation of number of licenses contained in section 17. In no event shall
13 such beverages be served to persons under the age of 21. The fees for the licenses granted under
14 this section shall be fixed from time to time by the local licensing authority and need not be
15 uniform.

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17 (b) Licenses issued under this section shall be subject to the following restrictions:

18 (1) Licenses issued under this section are not subject to quota restrictions under section
19 17 of chapter 138.

20 (2) Sales of all alcoholic beverages and wines or malt beverages may not occur from 2:00
21 a.m. to 8:00 a.m.; provided, further, that sales may not occur prior to 1:00 p.m. or after 10:00
22 p.m. on Sunday.

23 (3) All alcoholic beverages and wines or malt beverages sold or furnished by the licensee
24 may be possessed only in the dining room or dining rooms and in such other public rooms or
25 areas in a continuing care retirement community as the local licensing authorities may deem
26 reasonable and proper and approve in writing, including and not limited to rooms that are lived
27 in or used by residents of the continuing care retirement community; provided however, no
28 alcoholic beverages or wines and malt beverages sold or furnished by the licensee may be taken
29 beyond the confines of the continuing care retirement communities.

30 (4) Sales of alcoholic beverages or wines and malt beverages may occur in those portions
31 of the premises licensed by the local licensing authority as well as in rooms that are lived in or
32 used by residents of the continuing care retirement community. Sales of alcohol and wines and
33 malt beverages are limited to residents of the continuing care retirement community and the
34 guests of residents in conjunction with the normal, regularly scheduled dining, entertainment or
35 social activities of the continuing care retirement community.

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37 (5) Licenses issued under this section are subject to the General Laws relating to
38 employment of minors, with the exception that the minimum age threshold for employment on
39 licensed premises shall be 18. The prohibition against minors under the age of 21 dispensing or
40 serving alcohol shall remain in effect.