

HOUSE No. 4240

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, November 8, 2021.

The committee on Consumer Protection and Professional Licensure to whom was referred the joint petition (accompanied by bill, House, No. 3831) of Dylan A. Fernandes and Julian Cyr (by vote of the town) that the town of Tisbury be authorized to convert licenses for the sale of alcoholic beverages to be drunk on the premises to licenses for the sale of all alcoholic beverages or wines and malt beverages to be drunk on the premises, reports recommending that the accompanying bill (House, No. 4240) ought to pass. [Local Approval Received.]

For the committee,

TACKEY CHAN.

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

An Act regarding licenses for the sale of alcoholic beverages to be drunk on the premises in the town of Tisbury.

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 sections 11, 11A and 17 of chapter 138 of the General
2 Laws or any other general or special law to the contrary, the board of selectmen of the town of
3 Tisbury may place upon the official ballot at the next state election or annual town election
4 following the effective date of this act, the following question:

5 “Shall the board of selectmen of the town of Tisbury be authorized to convert licenses for
6 the sale of all alcoholic beverages or wines and malt beverages to be drunk on the premises
7 under section 12 of chapter 138 of the General Laws, originally granted or authorized pursuant to
8 section 1 of chapter 187 of the acts of 2009 or chapter 360 of the acts of 2016, to licenses for the
9 sale of all alcoholic beverages or wines and malt beverages to be drunk on the premises to
10 restaurants, including restaurants within inns and hotels, without the requirement that such be
11 beverages be consumed with meals only, but subject to the requirement that the restaurant have a
12 seating capacity of not less than 30 persons, and subject to the conditions that sales of alcoholic
13 beverages not exceed thirty-five per cent (35%) of the gross sales of the restaurant and that such

14 sales shall not be permitted later than 11:00 p.m. except within the discretion of the board of
15 selectmen on a special occasion?"

16 If a majority of votes cast in answer to the question is in the affirmative, the town may
17 convert current licenses for the sale of all alcoholic beverages or wines and malt beverages to be
18 drunk on the premises that have been granted pursuant to section 1 of chapter 187 of the acts of
19 2009 or chapter 360 of the acts of 2016 prior to the effective date of this act to licenses for the
20 sale of all alcoholic beverages or wines and malt beverages to be drunk on the premises without
21 the requirement that such beverages be consumed with meals only, and to issue new licenses
22 authorized under said acts without such requirement, but subject to all other conditions specified
23 in said acts and in the foregoing question and to grant seasonal licenses for the same.

24 The board of selectmen may issue regulations for the granting of licenses under this act
25 and to define terms appropriate for that purpose.

26 SECTION 2. This act shall take effect upon its passage.