

SENATE No. 2141

The Commonwealth of Massachusetts

PRESENTED BY:

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 convert a liquor license for the sale of wine and malt beverages not to be drunk on the premises to a liquor license for the sale of all alcoholic beverages not to be drunk on the premises.

PETITION OF:

NAME:

Joan B. Lovely

Paul Tucker

DISTRICT/ADDRESS:

Second Essex

7th Essex

SENATE No. 2141

By Ms. Lovely, a petition (accompanied by bill, Senate, No. 2141) of Joan B. Lovely and Paul Tucker (with approval of the mayor and city council) for legislation to authorize the city of Salem to convert a liquor license for the sale of wine and malt beverages not to be drunk on the premises to a liquor license for the sale of all alcoholic beverages not be drunk on the premises. Consumer Protection and Professional Licensure. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act authorizing the city of Salem to convert a liquor license for the sale of wine and malt beverages not to be drunk on the premises to a liquor license for the sale of all alcoholic beverages not be drunk on the premises.

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 convert 1 license for the sale of wine and malt
3 beverages not to be drunk on the premises under section 15 of said chapter 138 issued to
4 Pamplemousse, Inc. pursuant to Chapter 214 of the Acts of 2004 and located at 185 to 189 Essex
5 Street in the city of Salem to a license for the sale of all alcoholic beverages not to be drunk on
6 the premises under section 15 of said chapter 138 to Pamplemousse, Inc. to be located at 185 to
7 189 Essex Street in the city of Salem. The license shall be subject to all of said chapter 138
8 except section 17.

9 The licensing authority shall not approve the transfer of the license converted pursuant to
10 this section to any other location but it may grant the license to a new applicant at the same

11 location if the applicant files with the licensing authority a letter from the department of revenue
12 and a letter from the department of unemployment assistance indicating that the license is in
13 good standing with those departments and that all applicable taxes fees and contributions have
14 been paid.

15 If the license converted pursuant to this section is cancelled, revoked or no longer in use
16 at the location of original issuance, it shall be returned physically, with all of the legal rights,
17 privileges and restrictions pertaining thereto, to the licensing authority and the licensing
18 authority may then grant the license to a new applicant at the same location under the same
19 conditions as specified in this act.

20 SECTION 2. (a) The city of Salem shall charge a fee for the conversion of the license
21 authorized in section 1 which shall be paid by the licensee at the time of issuance unless the
22 licensing authority agrees to enter into a contract with the licensee to allow the division of the fee
23 into multiple payments over time from the licensee. If the city elects to accept multiple payments
24 over time from the licensee, the option shall be made available, upon request, to all qualified
25 applicants for a license.

26 (b) Any fee collected by the city of Salem for the license granted pursuant to section 1
27 which is greater than the amount of the fee charged for an annual renewal of a similar license
28 issued by the city shall be deposited into the city's economic development account and expended
29 by it in a manner consistent with the purposes of such account.

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