

# HOUSE . . . . No. 1098

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By Mr. Mulligan of Boston, petition of Edward J. Mulligan relative to increasing the number of licenses granted by local licensing authorities for the sale of alcoholic beverages. Legal Affairs.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Forty-Eight.

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### AN ACT INCREASING THE NUMBER OF LICENSES TO BE GRANTED BY LOCAL LICENSING AUTHORITIES.

*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 17 of chapter 376 of the acts of 1933, as  
2 amended, is hereby further amended by striking out in  
3 line 8 the words "five thousand" and substituting  
4 therefor the words: three thousand, — and by strik-  
5 ing out in line 15 the words "three hundred fifty" and  
6 substituting in place thereof the words: seven hun-  
7 dred, — so as to read as follows: — *Section 17.* Except  
8 as otherwise provided in this chapter, the number of  
9 licenses granted by the local licensing authorities in  
10 any city or town under sections twelve and fifteen shall  
11 not exceed in the aggregate one for each population  
12 unit of one thousand or fraction thereof; provided,  
13 that the total number of licenses granted under section  
14 fifteen in any city or town shall not exceed one for each  
15 population unit of three thousand or fraction thereof;

16 and provided, further, that the licensing authorities  
17 in any town may grant two licenses under section  
18 fifteen, irrespective of population; and provided,  
19 further, that, in the city of Boston licenses under  
20 section twelve may be granted up to a total not  
21 exceeding one thousand and licenses under section  
22 fifteen up to a total not exceeding seven hundred;  
23 and provided, further, that in any city or town which  
24 has an increased resident population during the  
25 summer months, the local licensing authorities may  
26 make an estimate prior to April first in any year of  
27 such temporary resident population as of July tenth  
28 following, and one additional license, under section  
29 twelve to be effective from April first to October  
30 thirty-first, only, may be granted for each unit of one  
31 thousand, or additional fraction thereof, of such  
32 population as so estimated, and one additional license  
33 under section fifteen to be effective from April first to  
34 October thirty-first, only, may be granted for each  
35 population unit of five thousand or additional fraction  
36 thereof, of such population as so estimated; and pro-  
37 vided, further, that said authorities may grant in  
38 addition seasonal licenses under section twelve to duly  
39 incorporated clubs in any city or town if deemed by  
40 them to be in the public interest. Any license issued  
41 under section twelve or fifteen for the sale of wines or  
42 malt beverages only or both shall not be included in  
43 the number of licenses that may be granted in any city  
44 or town as provided in this section.

45 Said local licensing authorities shall not grant a  
46 license to any person or corporation under more than  
47 one section of this chapter unless expressly authorized  
48 therein. Any license issued under section twelve to a  
49 legally chartered club in any city or town shall not be

50 included in the number of licenses that may be granted  
51 in any city or town as provided in this section.

52 In order that there may be an adequate number of  
53 taverns during the current year where authorized, not  
54 more than seventy-five per cent of the maximum  
55 number of licenses under sections twelve and fifteen  
56 prescribed for any city or town, except Boston, and not  
57 more than seventy per cent of the maximum number  
58 of licenses under section twelve prescribed for the  
59 city of Boston, shall be granted prior to May first,  
60 nineteen hundred and thirty-four, or, in any city or  
61 town which votes under section eleven A in favor of  
62 granting tavern licenses, prior to the expiration of  
63 thirty days from the date on which said vote is so  
64 taken. The foregoing restrictions shall not apply to  
65 towns having a population of one thousand or less.

