

HOUSE No. 1948

By Mr. Durkin of Salem, petition of James J. Bradley for legislation relative to the transfer of liquor licenses by corporations. Legal Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Three.

AN ACT RELATIVE TO THE TRANSFER OF LIQUOR LICENSES BY CORPORATIONS.

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 23 of chapter 138 of the General Laws is
2 hereby amended by striking out the ninth paragraph,
3 as appearing in section 12 of chapter 542 of the acts of
4 1943, and inserting in place thereof the following
5 paragraph:—

6 Any license under this chapter held by an individual,
7 partnership or corporation may be transferred to any
8 individual, partnership or corporation qualified to
9 receive such a license in the first instance if, in the
10 opinion of the licensing authorities, such transfer is
11 in the public interest; provided, however, that no
12 transfer of a license may be made by any corporation
13 unless the holder of a majority of the issued stock has
14 been a bona fide resident of the city or town in which
15 the license has been issued for a period of three con-

16 secutive years next prior to the date of application for
17 such transfer. If no person appears to be the owner
18 of a majority of the issued stock, the local licensing
19 authorities may determine whether any person is the
20 equitable owner of a majority of issued stock, in which
21 case such person, if such determination is made, shall
22 be deemed for the purpose of this paragraph to be the
23 owner of a majority of the issued stock. If the local
24 licensing authorities determine that an individual,
25 partnership or corporation is not entitled to a transfer
26 as aforesaid of a license granted by them, the applicant
27 for such transfer may appeal to the commission as if
28 such authorities had refused to grant the license to
29 such individual, partnership or corporation upon an
30 original application therefor, and the decision of the
31 commission upon such appeal shall be final.