

HOUSE No. 1557

The Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, March 1, 1911.

The committee on the Liquor Law, to whom was referred the petition (with accompanying bill, House, No. 899) of John J. Dunn for legislation to authorize the refunding of parts of fees for licenses for the sale of intoxicating liquors; and the petition (with accompanying bill, House, No. 900) of John J. Dunn for legislation relative to the refunding of money paid for licenses to sell intoxicating liquors, report the accompanying bill.

For the committee,

T. R. HAWLEY.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eleven.

AN ACT

To authorize the Refunding of Parts of Fees for Licenses
for the Sale of Intoxicating Liquors.

*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. Section twenty of chapter one hundred of
2 the Revised Laws, as amended by section one of chapter
3 one hundred and seventy-one of the acts of the year nine-
4 teen hundred and two and as further amended by section
5 one of chapter two hundred and seven of the acts of the
6 year nineteen hundred and five, is hereby further amended
7 by striking out the words " may in its discretion ", in the
8 tenth and eleventh lines, and inserting in place thereof the
9 word: — shall, — so as to read as follows: — *Section 20.*
10 If a licensee dies before the expiration of the term of his
11 license, or if a license has been surrendered and cancelled
12 and not transferred the board or authority issuing the
13 license may issue another such license of the same class
14 and the two licenses shall count as one license; and said
15 board or authority shall require as a license fee for such

16 second license a part of the license fee required therefor
17 for the whole year proportionate to the unexpired term of
18 the license. Said board or authority shall in cases where
19 two licenses of the same class have been issued for the
20 same place in the same year, give a certificate to the party
21 to whom the first license was issued, or in case of his death
22 to his administrator or executor, stating that a part of the
23 fee paid therefor proportionate to the unexpired term of
24 the license is to be refunded to such party or to such ad-
25 ministrator or executor, by the treasurer of the city or
26 town from the fees thereafter received by said treasurer
27 for licenses to sell intoxicating liquors. Said treasurer
28 shall comply with the requirement of such certificate, and
29 shall retain one quarter of the amount so paid from any
30 money thereafter due from him or the city to the common-
31 wealth on account of licenses to sell intoxicating liquors.
32 If a licensee dies before the expiration of the term of his
33 license, the city or town by which it was granted may
34 refund to his executor or administrator a part of the
35 license fee proportionate to the unexpired term of the
36 license, and the proportionate part of the percentage which
37 has been paid to the commonwealth shall be refunded to
38 the city or town.

1 SECTION 2. The city or town concerned is hereby au-
2 thorized and required to repay to any person who has
3 heretofore transferred a license for the sale of intoxicat-
4 ing liquors in that city or town without receiving a rebate
5 thereon that part of the fee paid for the license which is
6 proportionate to that part of the term of the license which
7 was unexpired at the time of the transfer, less the amount
8 paid by the city or town to the commonwealth, but this
9 section shall not apply to licenses granted prior to the
10 year nineteen hundred and nine.

1 SECTION 3. This act shall take effect upon its passage
2 and shall apply to licenses granted in the years nineteen
3 hundred and nine and nineteen hundred and ten and to
4 all licenses granted thereafter. This act shall not apply
5 to any licenses surrendered or cancelled on account of the
6 violation of the terms or conditions of the license.