

# HOUSE . . . . . No. 5367

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, March 28, 1972.

The committee on Bills in the Third Reading, to whom was referred the Bill further regulating the issuance or transfer of licenses under the alcoholic beverages control law (House, No. 5335), report recommending that the same be amended by the substitution of the accompanying bill (House, No. 5367).

For the committee,

RAYMOND M. LaFONTAINE

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Seventy-Two.

AN ACT FURTHER REGULATING THE ISSUANCE OR TRANSFER OF  
LICENSES UNDER THE ALCOHOLIC BEVERAGES CONTROL LAW.

1     *Whereas*, The deferred operation of this act would tend to  
2 defeat its purpose, which is to regulate forthwith the issuance,  
3 transfer of licenses under the alcoholic beverages control law,  
4 therefore it is hereby declared to be an emergency law, necessary  
5 for the immediate preservation of the public convenience.

*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 16C of chapter 138 of the General Laws is hereby  
2 amended by striking out the first paragraph, as most recently  
3 amended by section 1 of chapter 192 of the acts of 1970, and  
4 inserting in place thereof the following paragraph: —

5     Premises, except those of an innholder and except such parts  
6 of buildings as are located ten or more floors above street level,  
7 located within a radius of five hundred feet of a church or school  
8 shall not be licensed for the sale of alcoholic beverages if the  
9 governing body of such church or school files written objection  
10 thereto; provided however, this provision shall not apply to the  
11 transfer of a license from premises located within said distance to  
12 other premises located therein, if it is transferred to a location  
13 not less remote from the nearest church or school than its former  
14 location; and provided further, that premises located within five  
15 hundred feet of a school or church may be licensed by unanimous  
16 vote of the local licensing authority, notwithstanding any written  
17 objection filed as hereinbefore provided. The term governing  
18 body as used in the preceding sentence shall mean the school  
19 committee, in the case of a public school.