

HOUSE No. 2545

By Mr. Lynch of Barnstable, petition of Thomas K. Lynch relative to the powers of local licensing authorities. Government Regulations.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Four.

AN ACT RELATIVE TO THE POWERS OF 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 64 of Chapter 138 of the General Laws, as most recently
2 amended by section 10 of chapter 15 of the Acts of 1979, is hereby
3 further amended by inserting the following new paragraph after
4 the first paragraph of said section: —

5 The licensing authorities may accept from any licensee under
6 this chapter an offer in compromise in lieu of suspension of any
7 license previously suspended by the licensing authority. A licensee
8 may petition the licensing authorities to accept such an offer in
9 compromise within twenty days following notice of suspension.
10 The fine in lieu of suspension, when an offer in compromise is
11 accepted, shall be calculated in accordance with the following
12 formula:

13 Fifty per cent of the per diem gross profit multiplied by the
14 number of license suspension days, gross profit to be determined as
15 gross receipts on alcoholic beverage sales less the invoiced cost of
16 goods sold per diem. No such fine, in any event, shall be less than
17 forty dollars a day. Any sums of money so collected by the licensing
18 authorities shall be paid forthwith into the general fund of the town
19 treasury.

