

By Mr. Lewis of Dedham, petition of the Massachusetts Municipal Association, David P. Magnani, Maryanne Lewis and other members of the General Court for legislation to make certain changes in the fees for liquor licenses imposed by cities and towns. Government Regulations.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Seven.

AN ACT MAKING CERTAIN CHANGES IN THE STATUTORY CEILINGS FOR LIQUOR LICENSE FEES, AS ISSUED BY MUNICIPAL BOARDS.

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. The fourth paragraph of section 12 of chapter 138
2 is hereby amended by striking the first sentence therein and
3 inserting in place thereof the following sentence:— The local
4 licensing authorities may determine in the first instance, when
5 originally issuing and upon each annual renewal of licenses under
6 this section, the amount of the license fee, in no case less than
7 seven hundred and fifty dollars nor except as hereinafter provided,
8 more than two thousand five hundred dollars for a tavern license
9 or seven thousand five hundred dollars for any other license under
10 this section for the sale of all alcoholic beverages, and in no case
11 less than three hundred dollars, nor, except as hereinafter pro-
12 vided, more than one thousand five hundred dollars for a tavern
13 license or three thousand dollars for any other license under this
14 section for the sale of wines and malt beverages, provided that the
15 minimum license fee in the case of a club license for the sale of
16 all alcoholic beverages shall be three hundred dollars; and pro-
17 vided, further than nothing herein shall prevent such authorities
18 from establishing license fees differing in amounts within the lim-
19 itations aforesaid for restaurant licenses authorizing such sale on
20 secular days only.

1 SECTION 2. Section 12 of chapter 138 is hereby amended by
2 striking the second sentence in the last paragraph thereof.

1 SECTION 3. The second paragraph of section 15 of chap-
2 ter 138 is hereby amended by inserting in place thereof the
3 following sentence:— The local licensing authorities may deter-
4 mine in the first instance when originally issuing and upon each
5 annual renewal of licenses under this section, the amount of the
6 license fee, in no case less than three hundred nor, except as
7 herein provided, more than three thousand dollars for the sale of
8 all alcoholic beverages, and in no case less than two hundred and
9 twenty-five nor, except as herein provided, more than two thou-
10 sand, two hundred and fifty dollars for the sale of wines and malt
11 beverages or either.

1 SECTION 4. Section 30A of chapter 138 is hereby amended by
2 striking the last sentence therein and by inserting therein the
3 following sentence:— Unless otherwise established in a town by a
4 town meeting action and in a city by city council action, and in a
5 town with no town meeting by town council action, by adoption
6 of appropriate bylaws and ordinances to set such fees, the fee for a
7 license under this section shall be not less than seventy-five nor
8 more than four hundred and fifty dollars, but in no event shall any
9 such fee be less than one hundred and fifty nor greater than nine
10 hundred dollars.

1 SECTION 5. Section 64 of chapter 138 is hereby amended by
2 inserting after the third sentence the following new sentence —
3 “The licensing authorities may assess a fine not to exceed five
4 thousand dollars upon the licensee for the purpose of recovering
5 said costs associated with the investigation of the license viola-
6 tion.”

1 SECTION 6. This act shall take effect with respect to liquor
2 licenses exercisable on or after the first of January, nineteen hun-
3 dred and ninety-five.