

# HOUSE . . . . . No. 2991

By Mr. Walsh of Agawam, petition of Michael P. Walsh for legislation establishing a new category of alcoholic beverage license known as "brew pub". Government Regulations.

## The Commonwealth of Massachusetts

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

AN ACT TO ESTABLISH A NEW CATEGORY OF ALCOHOLIC BEVERAGE LICENSE KNOWN AS "BREW PUB".

*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 1 of Chapter 138 of the General Laws,  
2 as appearing in the 1988 Official Edition, is amended by adding  
3 a new paragraph after the second paragraph as follows: —

4 "Brew pub," any plant or premise licensed under sections 12  
5 and 19D where malt beverages are produced and sold, and where  
6 alcoholic beverages or wine or malt beverages are sold for  
7 consumption on the premises according to Commission  
8 regulations.

1 SECTION 2. Section 12 of Chapter 138 of the General Laws,  
2 as appearing in the 1988 Official Edition, is amended by adding  
3 after the words "conduct a hotel" in the first sentence the following  
4 words: — ", a keeper of a brew pub".

1 SECTION 3. Chapter 138 of the General Laws, as appearing  
2 in the 1988 Official Edition, is amended by adding after sec-  
3 tion 19C the following new section: —

4 Section 19D. (a) A holder of a brew pub license issued pursuant  
5 to the provisions of section 12 may:

6 (1) sell alcoholic beverages or wine and malt beverages to be  
7 drunk on the premises and;

8 (2) operate a brewery at its licensed premises under such  
9 conditions as the Commission may prescribe by regulation.

10 (b) The holder of a brew pub license shall, in addition to the  
11 fees established pursuant to section 12 of this chapter, annually  
12 pay a fee to the commonwealth computed based on the malt  
13 beverage barrelage produced by the brewery as follows:

14	5000 barrels or less per year	\$1000 per year
15	More than 5000 barrels per year	\$4500 per year

16 For the above purposes, a barrel shall be thirty-one gallons.

17 (c) Every applicant for a brew pub license shall, at the time of  
18 filing an application, pay said fee based on a reasonable estimate  
19 of the amount of malt beverages to be produced during the year  
20 covered by the license. Persons holding brew pub licenses shall  
21 report annually at the end of the year covered by the license the  
22 amount of malt beverages produced during such year. If the total  
23 amount of such malt beverages produced exceeds the amount  
24 permitted by the fee already paid, the licensee shall pay whatever  
25 additional fee is owing under this section.