

HOUSE No. 232

The Commonwealth of Massachusetts

PRESENTED BY:

Aaron Michlewitz

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to fines for license violations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Aaron Michlewitz</i>	<i>3rd Suffolk</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>
<i>Nick Collins</i>	<i>4th Suffolk</i>
<i>Evandro C. Carvalho</i>	<i>5th Suffolk</i>
<i>Daniel Cullinane</i>	<i>12th Suffolk</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>

HOUSE No. 232

By Mr. Michlewitz of Boston, a petition (accompanied by bill, House, No. 232) of Aaron Michlewitz and others relative to fines for alcoholic beverage license violations. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to fines for license violations.

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 23 of chapter 138 of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by striking out the fourth paragraph and inserting in place
3 thereof the following paragraph: -

4 Whenever, in the opinion of the local licensing authorities, any applicant for a license
5 under section twelve, fourteen, fifteen or thirty A fails to establish to their satisfaction his
6 compliance with the requirements of this chapter, or any other reasonable requirements which
7 they may from time to time make with respect to licenses under said sections, respectively, or to
8 the conduct of business by any licensee thereunder, said authorities may refuse to issue or reissue
9 to such applicant any such license; and whenever in their opinion any holder of such a license
10 fails to maintain compliance with this chapter or it appears that alcoholic beverages are being or
11 have been sold, served or drunk therein in violation of any provision of this chapter, they may,
12 after hearing or opportunity therefor, modify, suspend, revoke or cancel such license, or may

13 levy a fine in accordance with local licensing rules and regulations. The local licensing
14 authorities shall transfer the amount of any fines collected to the general fund of the city or town.
15 Whenever the local licensing authorities deny an application for a new license, refuse to issue a
16 license or modify, suspend, revoke or cancel a license, deny an application for transfer of
17 location or between persons or change of a description of the licensed premises, or levy a fine,
18 the licensing authorities shall mail a notice of such action to the applicant or licensee, stating the
19 reasons for such action and shall at the same time mail a copy of such notice to the commission.

20 SECTION 2. Section 183A of chapter 140 of the General Laws, as so appearing, , is
21 hereby amended by inserting at the end of the ninth paragraph the following sentences:-

22 The licensing authorities may also levy a fine against the license holder for any such
23 violation in accordance with regulations which shall be promulgated by the licensing authorities.
24 Any fines collected by the licensing authorities shall be deposited into the general fund of the
25 city or town.