

HOUSE No. 401

The Commonwealth of Massachusetts

PRESENTED BY:

Jonathan D. Zlotnik

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 the sale of malt beverages produced by a pub brewery.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-----------------------------|---|------------------|
| <i>Jonathan D. Zlotnik</i> | <i>2nd Worcester</i> | <i>1/18/2023</i> |
| <i>Hannah Kane</i> | <i>11th Worcester</i> | <i>1/24/2023</i> |
| <i>Lindsay N. Sabadosa</i> | <i>1st Hampshire</i> | <i>1/24/2023</i> |
| <i>Susannah M. Whipps</i> | <i>2nd Franklin</i> | <i>1/25/2023</i> |
| <i>Kimberly N. Ferguson</i> | <i>1st Worcester</i> | <i>2/7/2023</i> |
| <i>Paul W. Mark</i> | <i>Berkshire, Hampden, Franklin and Hampshire</i> | <i>2/9/2023</i> |
| <i>Daniel R. Carey</i> | <i>2nd Hampshire</i> | <i>2/11/2023</i> |
| <i>Jacob R. Oliveira</i> | <i>Hampden, Hampshire and Worcester</i> | <i>2/11/2023</i> |
| <i>William M. Straus</i> | <i>10th Bristol</i> | <i>2/13/2023</i> |
| <i>Patricia A. Haddad</i> | <i>5th Bristol</i> | <i>2/17/2023</i> |
| <i>Bruce E. Tarr</i> | <i>First Essex and Middlesex</i> | <i>2/22/2023</i> |
| <i>Natalie M. Higgins</i> | <i>4th Worcester</i> | <i>2/26/2023</i> |
| <i>John J. Lawn, Jr.</i> | <i>10th Middlesex</i> | <i>2/26/2023</i> |
| <i>Norman J. Orrall</i> | <i>12th Bristol</i> | <i>2/28/2023</i> |

HOUSE No. 401

By Representative Zlotnik of Gardner, a petition (accompanied by bill, House, No. 401) of Jonathan D. Zlotnik and others relative to the sale of malt beverages produced by pub breweries. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to the sale of malt beverages produced by a pub brewery.

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 19D of Chapter 138 of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by striking out subsection (g) and inserting in place thereof
3 the following:

4 (g) A pub brewer may sell malt beverages or malt beverage products produced by the pub
5 brewery or produced for the pub brewery and sold under the pub brewery name:

6 (1) at wholesale to any person holding a valid wholesalers’ and importers’ license under
7 section 18;

8 (2) at wholesale in kegs, casks, barrels or bottles to any person holding a license to sell
9 under sections 12, 13 or 14, and, for the sole purpose of resale in containers in which the malt
10 beverage was delivered, to any person holding a license to sell under section 15; provided, that
11 the total annual sales to sections 12, 13, 14, and 15 licensees shall not exceed 50,000 gallons;

12 (3) at wholesale to churches and religious societies, educational institutions, incorporated
13 hospitals, homes for the aged, manufactures of food products and manufacturers of drugs and
14 chemicals as authorized by and subject to the provisions of section 28;

15 (4) at retail by the bottle to consumers for consumption off premises;

16 (5) at wholesale to any person in any state or territory in which the importation and sale
17 of malt beverages is not prohibited by law; and

18 (6) at wholesale to any person in a foreign country.