

HOUSE No. 5372

The Commonwealth of Massachusetts

PRESENTED BY:

Jeffrey N. Roy

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 authorizing the town of Franklin to grant an additional liquor license.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>	<i>10/21/2022</i>

HOUSE No. 5372

By Mr. Roy of Franklin, a petition (accompanied by bill, House, No. 5372) of Jeffrey N. Roy (by vote of the town) that the town of Franklin be authorized to grant one additional license for the sale of all alcoholic beverages not to be drunk on the premises in said town. Consumer Protection and Professional Licensure. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act authorizing the town of Franklin to grant an additional liquor license.

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. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the city
2 known as the town of Franklin acting through the Franklin town council, as the local licensing
3 authority, may grant an alcoholic beverages license pursuant to section 15 of said chapter 138,
4 for the sale at retail of all alcoholic beverages not to be drunk on the premises to MADD Deli,
5 Inc. d/b/a Dacey’s Market located at 353 Lincoln street in the town of Franklin. The Franklin
6 town council shall grant said license only after compliance with the publication, notice and
7 hearing requirements contained in section 15A of said chapter 138, and its determination that the
8 grant of said license satisfies the public need.

9 (b) Upon the Franklin town council’s grant of said license in accordance with subsection
10 (a), the section 15 wines and malt beverages not to be drunk on the premises license issued to
11 MADD Deli, Inc. d/b/a Dacey’s Market pursuant to the authority granted to the town of Franklin
12 by chapter 382 of acts of 2020 shall be null and void.

13 (c) The licensing authority shall not approve the transfer of the license granted pursuant
14 to this act to any other location, but it may grant the license to a new applicant at the same
15 location if the applicant files with the licensing authority a letter from the department of revenue
16 and a letter from the department of unemployment assistance indicating that the license is in
17 good standing with those departments and that all applicable taxes, fees and contributions have
18 been paid.

19 (d) If a licensee terminates or fails to renew a license granted under this section or any
20 such license is canceled, revoked or no longer in use, it shall be returned physically, with all of
21 the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, and the
22 licensing authority may then grant the license to a new applicant at the same location under the
23 same conditions as specified in this section.

24 (e) All licenses granted pursuant to this act shall be issued within 1 year after the
25 effective date of this act; provided, however, that a license originally granted within that time
26 period may be granted to a new applicant pursuant to subsection (c) or (d) thereafter.

27 SECTION 2. This act shall take effect upon its passage.