

# SENATE . . . . . No. 02042

Senate, Thursday, October 27, 2011 – New draft of Senate, No. 128 reported from the committee on Consumer Protection and Professional Licensure.

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to establish an annual caterer’s license for the service of alcohol beverages at private functions.

*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 12 of Chapter 138 of the General Laws, as most recently amended, is further  
2 amended by adding the following new Section 12 C:

3 The Commission may issue an annual caterer’s license to an operator of a catering  
4 business for the sale and service of all alcoholic beverages to be served and drunk on the  
5 premise(s) where the operator is catering a private event that is not open to the public, provided  
6 the premise(s) is in a city or town where the granting of a license under § 12 to sell alcoholic  
7 beverages is authorized. Caterers licensed pursuant to this act shall be prohibited from serving  
8 any type of alcoholic beverages at their principal place of business. The holder of a caterer’s  
9 license shall purchase all alcoholic beverages for resale from a wholesaler licensed pursuant to  
10 §18 and shall maintain liquor liability insurance providing security for the liability of the licensee  
11 in a minimum amount of \$250,000 on account of injury to or death of one (1) person, and

12 \$500,000 on account of any one (1) accident resulting in injury to or death of more than one (1)  
13 person. The service of alcoholic beverages shall not be for more than five (5) hours during any  
14 catered event. All agents and employees of a licensed caterer who serve alcoholic beverages  
15 shall be certified by a nationally recognized alcoholic beverages server training program.

16 All caterers licensed pursuant to this act shall, prior to forty-eight (48) hours of the start  
17 of any catered event where alcoholic beverages will be served, notify, the police chief and the  
18 local licensing authority of the city or town where said event shall take place in writing with the  
19 following information:

- 20 1. Notice that they will be serving alcoholic beverages in said city or town;
- 21 2. A copy of their caterers' license;
- 22 3. Proof of Insurance;
- 23 4. Emergency contact information of the manager of the catering company

24 The Commission after notice to the licensee and reasonable opportunity to be heard may  
25 modify, suspend, revoke or cancel the license upon satisfactory proof that the licensee violated or  
26 permitted a violation of any condition thereof, any law of the Commonwealth or any regulation  
27 of the Commission. The decision of the Commission shall be final and conclusive. A caterer's  
28 license shall authorize the licensee to store, transport, sell, and deliver alcoholic beverages in the  
29 ordinary course of the licensee's business. Alcoholic beverages may be stored only on premises  
30 owned by the licensee or that the licensee has the exclusive right to occupy. The license shall be  
31 renewable annually and the annual fee shall be one thousand five hundred dollars (\$1,500).