HOUSE DOCKET, NO. 3499 FILED ON: 1/21/2011

HOUSE . . . . . No. 2700

The Commonwealth of Massachusetts

PRESENTED BY:

Paul McMurtry

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 passage of the accompanying:

An Act The Private Function Caterers' Act of 2011.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Paul McMurtry	*11th Norfolk*
David M. Nangle	*17th Middlesex*
Elizabeth A. Poirier	*14th Bristol*
James M. Cantwell	*4th Plymouth*
Stephen L. DiNatale	*3rd Worcester*
George T. Ross	*2nd Bristol*
Donald H. Wong	*9th Essex*

HOUSE DOCKET, NO. 3499 FILED ON: 1/21/2011

HOUSE . . . . . No. 2700

By Mr. McMurtry of Dedham, a petition (accompanied by bill, House, No. 2700) of Paul McMurtry and others for legislation to authorize the issuance of annual licenses for the sale of all alcoholic beverages to be drunk on the premises to operators of catering businesses. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

An Act The Private Function Caterers' Act of 2011.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Whereas, caterers are in the business of accomodating their customers wishes at private
2 parties; Whereas, catering private functions is one of the economic engines driving growth in the
3 hospitality industry; Whereas, hosts at private functions very often request service of beverage
4 alcohol for their guests; Whereas, the general public interests are best served by the responsible
5 service of alcohol by trained professionals; Whereas, the need exists for the Commonwealth to
6 address alcohol service at private functions; now, therefore may

7 Massachusetts General Law Chapter 138, Section 12, as most recently amended, is
8 further amended by adding the following paragraph:

9 The Commission may issue an annual caterer's license to an operator of a catering
10 business for the sale and service of all alcoholic beverages to be served and drunk on the
11 premise(s) where the operator is catering a private event that is not open to the public, provided
12 the premise(s) is in a city or town where the granting of a license under §12 to sell alcoholic
13 beverages is authorized. The holder of a caterer's license shall purchase all alcoholic beverages
14 for resale from a wholesaler licensed pursuant to §18 and shall maintain liquor liability insurance
15 providing security for the liability of the licensee in a minimum amount of $250,000 on account
16 of injury to or death of more than one (1) person. The service of alcoholic beverages shall not be
17 for more than five (5) hours during any catered event. All agents and employees of a licensed
18 caterer who serve alcoholic beverages shall be certified by a nationally recognized alcoholic
19 beverages server training program. The decision of the Commission shall be final and
20 conclusive.

21 A caterer's license shall authorize the licensee to store, transport and deliver alcoholic
22 beverages in the ordinary course of the licensee's business. Alcoholic beverages may be stored

23 only on premises owned by the licensee or that the licensee has the exclusive right to occupy.
24 The license shall be renewable annually and the annual fee shall be two thousand five hundred
25 dollars ($1,500).

26 The Commission after notice to the licensee and reasonable opportunity to be heard may
27 modify, suspend, revoke or cancel the license upon satisfactory proof that the licensee violated or
28 permitted a violation of any condition thereof, any law of the Commonwealth or any regulation
29 of the Commission.