

## THE COMMONWEALTH OF MASSACHUSETTS

*In the Year Two Thousand and Twelve*

AN ACT AUTHORIZING THE LICENSING BOARD FOR THE CITY OF BOSTON TO GRANT RESTRICTED AIRPORT LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES AND FOR THE SALE OF WINES AND MALT BEVERAGES AT LOGAN INTERNATIONAL AIRPORT.

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

SECTION 1. Section 17 of chapter 138 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the seventh paragraph the following 2 paragraphs:-

As used in this section, the following words shall have the following meanings:-

"Airline club", an establishment that is not open to the general public and which is operated by or for an airline at the airport to provide exclusive or special accommodations to members and their guests in accordance with airline policy.

"Airport", the General Edward Lawrence Logan International Airport.

"Boston license", a license for the sale of alcoholic beverages issued pursuant to the preceding paragraph and subject to the city of Boston municipal quota.

"Passenger terminals", the passenger terminals and designated airline clubs within the airport.

"Restricted airport licenses", licenses for: (i) the sale of all alcoholic beverages to be drunk on the premises within the passenger terminals; and (ii) the sale of wines and malt beverages to be drunk on the premises within the passenger terminals.

The licensing board for the city of Boston may grant restricted airport licenses to common victuallers duly licensed under chapter 140 and operating within the passenger terminals, subject to the approval of the alcoholic beverages control commission. Once issued to a licensee within the passenger terminals, the licensing board shall not approve the transfer of a restricted airport license to a location outside of the passenger terminals. A restricted airport license shall be nontransferable to any other person, corporation or organization operating outside the passenger terminals and shall be clearly marked "nontransferable outside the passenger terminals at the airport" on its face. Notwithstanding this section or any other special or general law to the contrary, restricted airport licenses shall not be subject to or counted against the municipal quota set forth in this section including, but not limited to, the city of Boston quota set forth in the sixth paragraph. A

restricted airport license, if revoked or no longer in use, shall be returned physically, with all of the legal rights and privileges pertaining thereto, to the licensing board which may then grant that license to a new applicant operating within the passenger terminals, consistent with this paragraph.

SECTION 2. (a) On the effective date of this act, Boston licenses, as defined in section 17 of chapter 138 of the General Laws, currently issued and in good standing for use within the passenger terminals at the airport, as those terms are defined in said section 17 of said chapter 138, may continue to be valid for the 2 years immediately following the effective date of this act; provided however, that a Boston license issued for use within the passenger terminals at the airport, if revoked or no longer in use, shall be returned physically, with all of the legal rights and privileges pertaining thereto, to the licensing board which may then grant any such returned license to a new applicant outside of the passenger terminals at the airport in accordance with the sixth paragraph of said section 17 of said chapter 138. The holder of a Boston license may freely transfer that license to any location outside the passenger terminals at the airport, subject to the approval of the alcoholic beverages control commission, whereupon such transferor may be eligible for a restricted airport license as defined in said section 17 of said chapter 138; provided, however, that a holder of a Boston license may only transfer a Boston license during the 2-year period immediately following the effective date of this act. If a Boston license is not transferred within that 2-year period, the Boston license shall be deemed revoked or no longer in use and shall be returned physically, with all legal rights and privileges pertaining thereto, to the licensing board, which may: (i) grant the returned Boston license to a new applicant operating outside the passenger terminals at the airport, subject to the sixth paragraph of said section 17 of said chapter 138; and (ii) grant a restricted airport license to the person or establishment from whom the Boston license was revoked or to a new applicant within the passenger terminals at the airport in accordance with this section.

(b) With respect to the restricted airport licenses, the licensing board for the city of Boston may determine, in the first instance when originally issuing and upon each annual renewal thereof, the amount of the license fee in accordance with section 12 of said chapter 138; provided, however, that an origination fee of not greater than \$2,500 per all alcoholic beverages license and \$1,000 per wines and malt beverage license shall apply to each restricted airport license.

SECTION 3. This act shall take effect upon its passage.

House of Representatives, April 24, 2012.

Passed to be enacted,



, Speaker.

Passed to be enacted,

3 May, 2012.

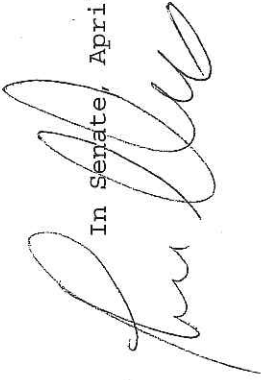
Approved,

at 2 o'clock and 26 minutes, P. M.



Governor.

In Senate, April 20, 2012.



, President.