

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Rodrigues

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 bill:

An Act relative to the sale of wine at auction.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael J. Rodrigues	8th Bristol

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO THE SALE OF WINE AT AUCTION.

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. Chapter 138 of the General Laws is hereby amended by inserting after Section 14 the
2 following section:

3 Section 14A. The local licensing authority in any city or town wherein the granting of licenses to sell all
4 alcoholic beverages or wines and malt beverages only is authorized may grant temporary licenses for
5 the sale of wines and spirits at auction, not be drunk on the premises, to applicants which have been
6 licensed as auctioneers under the laws of Massachusetts for no less than ten years and which have their
7 corporate headquarters in Massachusetts. Each such license shall describe the premises to which it
8 applies, and may be granted only for premises which are either the principal place of business or
9 headquarters of the applicant and legally zoned to allow such sales, or the premises of a licensee under
10 section twelve or fifteen. No license shall be for a duration of more than ten consecutive calendar days,
11 and no holder of any such license shall be granted more than four such licenses in any calendar year.
12 The amount of the license fee shall not exceed the minimum fee for holders of temporary licenses under
13 section fourteen. Any holder of a temporary license for the sale of wines at auction shall be permitted
14 to conduct such auctions on any day and at any time permitted under section 12. The holder of the
15 temporary license shall be responsible for payment to the Commonwealth of an excise pursuant to the
16 provisions of section 21 for all wine and spirits sold at auction. Applications shall be granted by the local
17 licensing authority according to the local procedure for granting licenses under section fourteen.

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19 A licensee who holds a license under this section may provide, without charge, on-premises
20 sample wine tastings for prospective customers if such wines shall be available for sale at auction on
21 said premises; provided, however, that no single serving of said wines shall exceed $\frac{1}{4}$ of an ounce; and
22 provided further, that such licensee shall control the dispensing of said wines.