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A Legal Blog for the Craft Brewing Community

Massachusetts Retail Liquor License Renewals for 2023

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Pursuant to Massachusetts General Laws, Chapter 138, Section 16A, all Massachusetts retail liquor licensees (e.g., farmer-breweries, farmer-wineries and farmer-distilleries holding farmer-series pouring permits, Section 12 pouring permit holders and Section 15 package store licensees) are required to submit completed renewal applications to their local licensing authority for 2023 **on or before November 30, 2022**. Some local licensing authorities request renewal applications before the end of November. Licensees should follow the requirements provided by their respective local licensing authority.

If a licensee submits the liquor license renewal package by the applicable deadline, the license will be renewed automatically by the local licensing authority. If a licensee does not submit the renewal application on or before the applicable deadline, the application will be treated as an application for a new liquor license and the licensee will have to comply with all of the requirements set forth in Massachusetts General Laws Chapter 138, Section 15A (e.g., submit an application for a new liquor license, publish notice in a local newspaper, provide notice to abutters and attend a public hearing).

Local licensing authorities send renewal application packages to licensees that generally include a Massachusetts Alcoholic Beverages Control Commission ("ABCC") Retail License Renewal form and a Workers' Compensation Insurance Affidavit. The renewal package often also includes the applicable license fee owed to the town or city, renewal instructions and additional documents specific to the municipality.

The ABCC Retail License Renewal form will list particular information specific to the license (e.g., licensee name, license class, license type, license category and license manager of record). An authorized signatory of a licensee (e.g., corporation president or treasurer or limited liability company manager) is required to execute the ABCC Retail License Renewal form in the month of November certifying that: (i) the information set forth on the Retail License Renewal form is accurate (i.e., class, type and category of license); (ii) the licensee has complied with all laws of the Commonwealth of Massachusetts relating to taxes; and (iii) the premises are open for business. If any of the information is not accurate, licensees are required to provide additional information on the ABCC Retail License Renewal form.

The Workers' Compensation Insurance Affidavit will require an authorized signatory of the licensee to indicate whether or not they are an employer and the number of their employees, or indicate an applicable exemption and indicate the type of business operated (likely a restaurant/bar/eating establishment). The licensee will also have to complete applicable information regarding the licensee's workers' compensation insurance policy **and** attach a copy of the licensee's workers' compensation policy declaration page with the applicable policy number and expiration date.

Licensees are required to have paid all outstanding taxes and charges prior the issuance of their 2023 license. Licensees should contact the tax collector in their town or city to ensure that all such taxes and charges have been paid.

Licensees who hold state licenses (e.g., farmer-breweries, farmer-wineries and farmer-distilleries) should submit their state renewal applications with the ABCC before submitting their 2023 retail renewal packages. Those state license renewals are due before the end of the calendar year. In addition, licensees who have additional licenses such as common victualer licenses and entertainment licenses should submit applications for those renewals.

If you have any questions regarding your 2023 renewal application, please contact one of our attorneys as soon as possible.