

# HOUSE . . . . . No. 3843

By Mr. Eldridge of Acton, petition of James B. Eldridge relative to the delivery of alcoholic beverages in the Commonwealth. Consumer Protection and Professional Licensure.

## The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE DELIVERY OF ALCOHOLIC BEVERAGES.

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

1 Chapter 138 of the General Laws is hereby amended by inserting  
2 after section 34D the following section:—

3 Section 34E. A licensee may consign alcoholic beverage to a duly  
4 licensed common carrier for the purpose of delivery within the Com-  
5 monwealth; provided that:—

6 (1) the licensee enters into a written contract with such common  
7 carrier, which contract provides that the common carrier will deliver  
8 only to a natural person who presents reasonable evidence of being  
9 21 or over at the time of such delivery;

10 (2) the common carrier agrees in said written contract not to  
11 deliver any alcoholic beverages to any location within the Common-  
12 wealth unless a natural person over the age of 21 who provides evi-  
13 dence of age as aforesaid is present to receive the delivery; and

14 (3) any alcoholic beverages consigned to a common carrier by a  
15 licensee shall be consigned only in boxes or cartons that have the  
16 following words prominently written upon such box or carton:—

17 CONTAIN ALCOHOLIC BEVERAGES AND MAY ONLY BE  
18 DELIVERED TO A PERSON OVER THE AGE OF 21 WHO  
19 PRESENTS REASONABLE EVIDENCE OF SUCH AGE”;

20 1) The licensee shall have no liability under any law or statute of  
21 the Commonwealth arising from such common carrier’s delivery to  
22 or possession by a minor of alcoholic beverages; and

23 2) The licensee's license shall not be subject to suspension, revo-  
24 cation, or any other action arising from such common carrier's  
25 delivery to or possession by a minor of alcoholic beverages.