



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
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**ALCOHOLIC BEVERAGES CONTROL COMMISSION (“ABCC”) ADVISORY
REGARDING LOCAL BOARD’S ABILITY TO ALLOW M.G.L. c. 138, § 12 (ON-
PREMISES) WINES AND MALT BEVERAGES LICENSE HOLDERS TO TRADE IN
THEIR LICENSE FOR A M.G.L. c. 138, § 12 (ON-PREMISES) ALL ALCOHOLIC
BEVERAGES LICENSE PURSUANT TO M.G.L. c. 138, § 12D**

On June 30, 2025, Governor Maura Healey signed (in part) “An Act Making Appropriations for the Fiscal Year 2026...” creating M.G.L. c. 138, § 12D which permits Local Boards to allow M.G.L. c. 138, § 12 (on-premises) wines and malt beverages license holders to trade in their license for a non-transferable M.G.L. c. 138, § 12 (on-premises) all alcoholic beverages license. M.G.L. c. 138, § 12D became effective July 1, 2025. The text of the law can be found [HERE](#).

Local Boards must accept the new law prior to allowing M.G.L. c. 138, § 12 (on-premises) wines and malt beverages license holders to trade in their license for a M.G.L. c. 138, § 12 (on-premises) all alcoholic beverages license pursuant to M.G.L. c. 138, § 12D. M.G.L. c. 138, § 12 (on-premises) wines and malt beverages license holders requesting a trade in for a M.G.L. c. 138, § 12 (on-premises) all alcoholic beverages license must submit [an application for a change of license category](#) to the Local Board. Change of license category amendments require ABCC approval and must comply with the “Liquor Control Act” (M.G.L. c. 138) including but not limited to advertisement, abutters’ notification requirements and Local Board hearing. Local Boards may charge a reasonable fee that shall not be excessive and may also establish additional requirements.

When a M.G.L. c. 138, § 12 (on-premises) wines and malt beverages license is traded in for a M.G.L. c. 138, § 12 (on-premises) all alcoholic beverages license pursuant to M.G.L. c. 138, § 12D, the M.G.L. c. 138, § 12 (on-premises) all alcoholic beverages license is non-transferable upon issuance. If a M.G.L. c. 138, § 12 (on-premises) all alcoholic beverages license issued pursuant to M.G.L. c. 138, § 12D is cancelled, revoked or no longer in use by the license holder, a M.G.L. c. 138, § 12 (on-premises) wines and malt beverages license must be granted by the Local Board before a M.G.L. c. 138, § 12 (on-premises) all alcoholic beverages license may be issued pursuant to M.G.L. c. 138, § 12D.

A M.G.L. c. 138, § 12 (on-premises) license for wines and malt beverages traded in for a M.G.L. c. 138, § 12 (on-premises) all alcoholic beverages license pursuant to M.G.L. c. 138, § 12D does not increase the total number of licenses authorized pursuant to M.G.L. c. 138, § 17 or any other general or special law.

As always, all licensees must ensure that they comply with the laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by federal, state, and local law.

Questions concerning this Advisory may be directed to Ralph Sacramone, Executive Director of the Massachusetts Alcoholic Beverages Control Commission at (617) 727- 3040 x 731.

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