



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
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**ALCOHOLIC BEVERAGES CONTROL COMMISSION UPDATED ADVISORY
REGARDING MANDATORY CLOSING PERIOD FOR RETAIL ALCOHOL
LICENSEES AND EASING OF CERTAIN ANNUAL RENEWAL REQUIREMENTS**

On November 2, 2020, Governor Charlie Baker issued COVID-19 Order No. 53, which:

- (1) imposes restrictions on operating hours for the sale and service of alcohol by licensees licensed pursuant to M.G.L. c. 138, and
- (2) eases requirements of submitting proof of liquor liability insurance and workers' compensation insurance for certain § 12 licensee annual renewals.

The text of the Order can be found [HERE](#).

On November 5, 2020, the Governor updated the Order regarding sales of alcohol for on-premises consumption. The updated Order can be found [HERE](#).

This Order and its update will remain in effect until rescinded or until the state of emergency is ended, whichever occurs first.

Please note this Updated Advisory replaces and supersedes the ABCC's November 5, 2020 Advisory.

Mandatory Closing Period for Sale and Service of Alcohol

Effective today, November 6, 2020, at 12:01 a.m., **all retail alcohol licensees must cease service of alcohol on their premises by 9:30 p.m. and patrons must leave the premises by 10:00 p.m. Licensees may reopen at their normal opening time previously approved by the local licensing authorities** ("mandatory closing period").

This Order applies to the following licensees:

- § 12 restaurants, innholders, continuing care retirement communities, clubs, taverns, and general-on-premises;
- § 12C caterers;
- § 13 airlines, ships, and trains;
- § 14 special "one day" events;
- § 15 package stores;

- § 19(b) manufacturers’ pouring permits;
- §§ 19B, 19C, 19E, both on-premises and off-premises consumption sales;
- § 19D pub breweries, both on-premises and off-premises consumption sales;
- § 19H farmer-series pouring permits; and
- § 22 transportation and express transportation permits.

During the mandatory closing period, retail alcohol licensees must be closed to customers, patrons, and members of the public and may not permit customers, patrons, or members of the public on their premises or otherwise offer or provide in-person services.

During the mandatory closing period, retail alcohol licensees may:

- Keep their premises open to employees and other workers;
- Conduct business activities that do not involve admitting customers, patrons, or members of the public; and
- Offer food and non-alcoholic beverages for take-out and by delivery.

Please be aware that establishments deemed “essential,” including grocery stores, pharmacies, and convenience stores, are not required to close to the public during the mandatory closing period, but alcohol sales must end by 9:30 p.m.

Easing of Certain Annual Renewal Requirements

During the COVID-19 state of emergency, § 12 licensees that remain closed to the public may renew their licenses for 2021 pursuant to M.G.L. c. 138, § 16A, without needing to submit:

- Proof of liquor liability insurance; however, licensees must submit proof of liquor liability insurance to the local licensing authorities prior to reopening to the public;
- Proof of having a workers’ compensation insurance policy; however:
 - licensees must have no payroll at the time of renewal, and
 - licensees must submit proof of workers’ compensation insurance to the local licensing authorities prior to reopening to the public

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. All questions should be directed to the ABCC Executive Director Ralph Sacramone at rsacramone@tre.state.ma.us or (617) 727-3040 x 731.

(Issued November 6, 2020)