

2015 -- H 5253

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO ALCOHOLIC BEVERAGES -- LICENSES GENERALLY

Introduced By: Representatives Hearn, and Malik

Date Introduced: January 29, 2015

Referred To: House Municipal Government

(by request)

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 3-5-16 of the General Laws in Chapter 3-5 entitled "Licenses  
2 Generally" is hereby amended to read as follows:

3           **3-5-16. Maximum number of licenses.** -- (a) (1) The department of business regulation  
4 shall have the right and power to limit the number of licenses of each class. The limit shall not  
5 exceed the maximum number, if any, of any class of license that is fixed by the licensing boards  
6 within their respective towns or cities.

7           (2) The number of Class C licenses in any town or city shall not exceed one for each one  
8 thousand (1,000) of its inhabitants.

9           (3) Every city and town may grant in any year renewals of any license of Class A in  
10 operation prior to April 28, 1969, except when renewal of that license is refused for cause, but no  
11 further new and original licenses of Class A shall be granted until the number of licenses of Class  
12 A outstanding in any city or town has been reduced to less than one for each six thousand (6,000)  
13 of its inhabitants (one for each four thousand (4,000) of its inhabitants in any city or town with  
14 less than twenty thousand (20,000) inhabitants), as determined by the last census taken under the  
15 authority of the United States or the state, by cancellation, revocation, or the failure of holders of  
16 those licenses to apply for renewals. After that reduction to less than one for each six thousand  
17 (6,000) inhabitants (one for each four thousand (4,000) inhabitants in any town or city with less  
18 than twenty thousand (20,000) inhabitants), licenses of Class A may be granted in any year by  
19 any city or town only up to a total not exceeding one for each six thousand (6,000) of its

1 inhabitants (one for each four thousand (4,000) of its inhabitants in any town or city with less  
2 than twenty thousand (20,000) inhabitants) as determined by census as required in this  
3 subsection. However, two (2) Class A licenses may be issued by every city or town of the state  
4 irrespective of population and, until the qualified electors of any city or town shall vote to the  
5 contrary, one Class A license may be issued in every city or town in this state unless otherwise  
6 ordered by the city or town council, ~~except the town of Barrington.~~

7 Any Class A license issued to or held by a Class E licensee pursuant to the provisions of  
8 § 3-7-5 shall be included in the total of, and subject to the limit upon the number of, Class A  
9 licenses which may be granted by any city or town under this section.

10 (b) The transfer of any existing license from the holder of this license to another person  
11 shall not be considered as the issuance of a new license under this section.

12 (c) The several cities and towns, except those cities and towns that had in effect on June  
13 1, 1971, a limit on the number of retailers' Class B or D licenses, shall not issue any new retailers'  
14 Class B or D licenses until May 1, 1972. The provisions of this section shall not apply to any  
15 application filed on or before May 30, 1971.

16 SECTION 2. If any provision of this act, or the application thereof to the town of  
17 Barrington or to any person or circumstances, is deemed invalid for any reason, the remainder of  
18 this act, or the application of such provision to said town or other persons or circumstances, shall  
19 not be affected thereby and, to this end, the provisions of this act are declared to be severable.

20 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T  
RELATING TO ALCOHOLIC BEVERAGES -- LICENSES GENERALLY

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1           This act would remove the prohibition of the town of Barrington from issuing Class A  
2 licenses.

3           This act would take effect upon passage.

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