

2014 -- H 8113

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LC005477
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO ALCOHOLIC BEVERAGES - LICENSES GENERALLY

Introduced By: Representatives Messier, Fellela, Lima, and Johnston

Date Introduced: May 01, 2014

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 3-5-21 of the General Laws in Chapter 3-5 entitled "Licenses
2 Generally" is hereby amended to read as follows:

3 **3-5-21. Revocation or suspension of licenses -- Fines for violating conditions of**
4 **license. --** (a) Every license is subject to revocation or suspension and a licensee is subject to fine
5 by the board, body or official issuing the license, or by the department or by the division of
6 taxation, on its own motion, for breach by the holder of the license of the conditions on which it
7 was issued or for violation by the holder of the license of any statute, ordinance, rule or regulation
8 applicable, or for breach of any provisions of this ~~section~~ title.

9 (b) Any fine imposed pursuant to this section shall not exceed ~~five hundred dollars~~
10 ~~(\$500)~~ one thousand dollars (\$1,000) for the first offense and shall not exceed ~~one thousand~~
11 ~~dollars (\$1,000)~~ five thousand dollars (\$5,000) for each subsequent offense. For the purposes of
12 this ~~section~~, subsection, ~~any offense committed by a licensee three (3) years after a previous~~
13 ~~offense shall be considered a first offense.~~ where any offense is committed by a licensee who has
14 not committed any offense during the next preceding three (3) years, the offense shall be
15 considered a first offense.

16 (c) In the event that a licensee is required to hire a police detail and the police refuse to
17 place a detail at the location because a licensee has failed to pay outstanding police detail bills or
18 to reach a payment plan agreement with the police department, the license board may prohibit the
19 licensee from opening its place of business until such time as the police detail bills are paid or a

1 payment plan agreement is reached.

2 SECTION 2. 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

1 This act would increase the maximum fines which may be levied for alcoholic beverage
2 violations by the department of business regulation, the division of taxation, and the local
3 licensing bodies. This act would further clarify that the penalties authorized by this section may
4 be imposed for any violation of applicable law, ordinance, rule, or regulation. This act would
5 further provide that, where a licensee has not committed any offense within the three (3) years
6 prior to the commission of an offense, that offense committed shall be considered a first offense
7 for purposes of determining a fine.

8 This act would take effect upon passage.

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