

HOUSE No. 1697

The Commonwealth of Massachusetts

PRESENTED BY:

James M. Murphy

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to prohibit the sale of "energy drinks" to persons under the age of 18.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James M. Murphy</i>	<i>4th Norfolk</i>	<i>1/20/2023</i>

HOUSE No. 1697

By Representative Murphy of Weymouth, a petition (accompanied by bill, House, No. 1697) of James M. Murphy relative to penalties for the sale of energy drinks to persons under the age of 18. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to prohibit the sale of "energy drinks" to persons under the age of 18.

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 270 of the General Laws, as appearing in the 2014 Official Edition, is hereby
2 amended by adding Section 28:

3 Section 28: Whoever distributes, delivers, gives away or sells, any “Energy Drink” or
4 other ingredient, substance or beverage that exceeds a caffeine content of seventy-one (71)
5 milligrams per twelve (12) ounce serving and contains taurine and glucuronolactone or a soft
6 drink that is classified as a dietary supplement not regulated by the Food and Drug
7 Administration and that contains eighty (80) or more milligrams of caffeine per eight (8) fluid
8 ounces and generally includes a combination of methylxanthines, B vitamins and herbal
9 ingredients which are advertised as being specifically designed to provide or increase energy to
10 any persons under the age of eighteen (18) shall be punished by a fine not less than fifty (50)
11 dollars for the first offense, one hundred (100) for the second offense and two hundred fifty
12 (250) for the third offense.