

HOUSE No. 2188

The Commonwealth of Massachusetts

PRESENTED BY:

Geraldo Alicea

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 passage of the accompanying bill:

An Act to Prohibit Novelty Lighters.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Geraldo Alicea	6th Worcester
Stephen L. DiNatale	3rd Worcester
Christine E. Canavan	10th Plymouth
Cory Atkins	14th Middlesex
Elizabeth Poirier	14th Bristol
Jennifer M. Callahan	18th Worcester

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO PROHIBIT NOVELTY LIGHTERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 52A of Chapter 146 of the General Laws, as appearing in the 2006 Official Edition,
2 is hereby amended by adding the following new section:-

3 Section 52B. No person shall manufacture, store, keep for sale, sell, give away, or transport any novelty
4 lighter. For the purposes of this section, a novelty lighter is defined as a mechanical or electrical device
5 typically used for lighting cigarettes, cigars, or pipes that has audio or visual effects, or that resembles in
6 physical form or function articles commonly recognized as appealing to or intended for use by children 10
7 years of age or younger. This includes, but is not limited to, lighter that resemble cartoon character, toys,
8 guns, watches, musical instruments, vehicles, toy animal, food or beverages, or that play musical notes or
9 have flashing lights or other entertaining features. A novelty lighter may operate on any fuel, including
10 butane or liquid fuel. This section shall not apply to novelty lighters that were manufactured before
11 January 1, 1980 or that are considered to be collectable items.

12 Whoever manufactures, stores, keeps for sale, sells, gives away, or transports any novelty lighters
13 shall be punished by a fine of not more than \$100 dollars.