

HOUSE No. 03368

The Commonwealth of Massachusetts

PRESENTED BY:

Paul McMurtry

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 permitting Hookah bars.

PETITION OF:

NAME:

Paul McMurtry

Michael O. Moore

DISTRICT/ADDRESS:

11th Norfolk

Second Worcester

HOUSE No. 03368

By Mr. McMurtry of Dedham, a petition (accompanied by bill, House, No. 3368) of Michael Moore and Paul McMurtry relative to the serving of tobacco products from a hookah device. [Public Health].

The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven
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An Act permitting Hookah bars.

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. Subsection (a) of section 22 of chapter 270 of the general laws, as appearing in the
2 2008 Official Edition, is hereby amended by inserting after the definition “enclosed” the
3 following two definitions:-

4 “Hookah”, a device used for smoking tobacco that consists of a tube connected to a container
5 where the smoke is cooled by passing through water.

6 “Hookah bar”, an establishment whose business is primarily devoted to the serving of tobacco
7 products from a hookah for consumption by guests on the premises and prohibits the entry of
8 persons under the age of 18 at all times and maintains a valid permit to operate a hookah bar
9 issued by the department of revenue.

10 SECTION 2. Subsection (c) of said section 22 of said chapter 270, as so appearing, is hereby
11 amend by adding the following paragraph:

12 (10) Smoking a hookah in a hookah bar if the hookah bar maintains a valid permit issued by the
13 department of revenue pursuant to this section. This permit shall be displayed in a conspicuous
14 manner, visible at all times to patrons of the hookah bar.

15 SECTION 3. Paragraph (3) of subsection (g) of said section 22 of said chapter 270, as so
16 appearing, is hereby amend by inserting after the word “bar”, in line 263, the following words:-
17 or hookah bar.

18 SECTION 4. Paragraph (1) of clause (a) of subsection (h) of said section 22 of said chapter 270,
19 as so appearing, is hereby amend by inserting after the word “bar”, in each instance it appears,
20 the following words:- or hookah bar.

21 SECTION 5. Paragraph (3) of said clause (a) of said subsection (h) of said section 22 of said
22 chapter 270, as so appearing, is hereby amend by inserting after the word “bar”, in each instance
23 it appears, the following words:- or hookah bar.

24 SECTION 6. Clause (b) of subsection (h) of said section 22 of said chapter 270, as so appearing,
25 is hereby amend by inserting after the word “bar”, in each instance it appears, the following
26 words:- or hookah bar.

27 SECTION 7. Subsection (j) of said section 22 of said chapter 270, as so appearing, is hereby
28 amend by inserting after the word “commonwealth”, in line 329, the following words:- ;
29 provided, however that this subsection shall not apply to hookah bars operating under a permit
30 pursuant to this section.