

**HOUSE . . . . . No. 3924**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

**Geraldo Alicea**

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*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 of novelty lighters in the commonwealth.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:
Geraldo Alicea	6th Worcester

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT TO PROHIBIT OF NOVELTY LIGHTERS IN THE COMMONWEALTH.

*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.** Chapter 146 of the General Laws, is hereby amended by inserting the following after  
2 section 52A:-

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