

SENATE No. 1178

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia S. Creem

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 relative to the age of tobacco purchase.

PETITION OF:

NAME:

Cynthia S. Creem

DISTRICT/ADDRESS:

First Middlesex and Norfolk

SENATE No. 1178

By Ms. Creem, a petition (accompanied by bill, Senate, No. 1178) of Cynthia S. Creem for legislation relative to the age of tobacco purchase. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 747 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to the age of tobacco purchase.

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 270 of the General Laws is hereby amended by striking out
2 sections 6 and 6A, as appearing in the 2014 Official Edition, and inserting in place thereof the
3 following 2 sections:-

4 Section 6. (a) As used in this section and section 6A, the following words shall have the
5 following meanings unless the context clearly requires otherwise:

6 "Person", an individual, firm, fiduciary, partnership, corporation, trust or association,
7 however formed, a club, trustee, agency or receiver.

8 "Tobacco product", a product containing, made or derived from tobacco or nicotine that
9 is intended for human consumption, whether smoked, chewed, absorbed, dissolved, inhaled,
10 snorted, sniffed or ingested by any other means including, but not limited to: cigarettes, cigars,

11 little cigars, chewing tobacco, pipe tobacco and snuff and electronic cigarettes, electronic cigars,
12 electronic pipes or other similar products that rely on vaporization or aerosolization; provided,
13 however, that “tobacco product” shall include any component, part or accessory of a tobacco
14 product; and provided further, that “tobacco product” shall not include a product that has been
15 approved by the United States Food and Drug Administration for the sale as a tobacco cessation
16 product and is marketed and sold exclusively for the approved purpose.

17 (b) No person shall sell a tobacco product to a person under the age of 21 or, not being
18 his parent or guardian, give a tobacco product to a person under the age of 21.

19 (c) A person who violates this section shall be punished by a fine of \$100 for the first
20 offense, \$200 for a second offense and \$300 for a third or subsequent offense.

21 Section 6A. (a) A person who sells tobacco rolling papers to a person under the age of 21
22 shall be punished by a fine of \$25 for the first offense, \$50 for the second offense and \$100 for a
23 third or subsequent offense.