

SENATE No. 00094

The Commonwealth of Massachusetts

PRESENTED BY:

Sal N. DiDomenico

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 improve the law for the pricing of grocery and retail items.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Sal N. DiDomenico</i>	<i>Middlesex, Suffolk, and Essex</i>
<i>Kathi-Anne Reinstein</i>	<i>16th Suffolk</i>

SENATE No. 00094

By Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 94) of Sal N. DiDomenico and Kathi-Anne Reinstein for legislation to improve the law for the pricing of grocery and retail items. Community Development and Small Businesses.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to improve the law for the pricing of grocery and retail items.

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 184B of chapter 94 of the General Laws, as appearing in the 2004
2 Official Edition, is hereby amended by striking out the eighth paragraph and inserting in place
3 thereof the following paragraph:

4 “Food department”, any seller other than a food store or warehouse club with any grocery
5 item section, area, or display and which sells ten or more different food items for consumption
6 off the seller’s premises at least in part to individuals for their own personal, family, or
7 household use; provided, however, that any food section which is within a larger business, other
8 than a warehouse club, and is the functional equivalent of a supermarket with its own separate
9 checkout, may be deemed a food store by the director of standards.

10 SECTION 2. Section 184B of said Chapter 94, as so appearing, is hereby further
11 amended by striking out the ninth paragraph and inserting in place thereof the following
12 paragraph:

13 “Food store”, any store, shop, supermarket, grocer, convenience store, or other seller
14 whose primary business is selling either food for consumption off the seller’s premises alone or
15 in combination with grocery items or other nondurable items typically found in a supermarket,
16 and such items are sold at least in part to individuals for their own personal, family, or household
17 use. For purposes of this section and sections 184C to 184E, a warehouse club shall not be
18 considered a food store.

19 SECTION 3. Section 184B of said Chapter 94, as so appearing, is hereby further
20 amended by adding the following final paragraph:

21 “Warehouse club,” a retail store in which customers pay annual membership fees in order
22 to purchase items at member-only prices.