

**SENATE . . . . . No. 1358**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**James E. Timilty**

*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 relative to the enhancement of fire safety

PETITION OF:

NAME:

James E. Timilty

DISTRICT/ADDRESS:

Bristol and Norfolk

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT RELATIVE TO THE ENHANCEMENT OF FIRE SAFETY

*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 2E of Chapter 64C as appearing in the 2006  
2 Official Edition, is hereby amended by striking out the last 2 sentences of said section and  
3 inserting in place thereof the following:-

4 Any person violating the provisions of section 2D shall be subject to a civil penalty not to exceed  
5 \$1,000 for a first violation and \$5,000 for a second or subsequent violation. Any cigarettes that  
6 have been sold or offered for sale that do not comply with the requirements of section 2B, 2C, or  
7 2D shall be deemed contraband and shall be subject to seizure, without a warrant, by the  
8 Secretary and may be disposed by the Commonwealth, either by agreement of the parties or by  
9 order of the Court.

10           **SECTION 2.** Subsection (b) of Section 2E of Chapter 64C is hereby amended by adding  
11 the following new sentence:-

12 The Secretary may, as an alternative to court action, assess a civil penalty, after hearing, of not  
13 more than \$5,000 for each such violation of sections 2B, 2C or 2D.