

**SENATE . . . . . No. 928**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***John Hart, Jr.***

*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 clarifying the intent and interpretation of Chapter 149, subsection 152A of the General Laws..

PETITION OF:

NAME:

*John Hart, Jr.*

DISTRICT/ADDRESS:

**SENATE . . . . . No. 928**

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By Mr. Hart, petition (accompanied by bill, Senate, No. 928) of Hart relative to tips and tip sharing in restaurants [Joint Committee on Labor and Workforce Development].

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 4210 OF 2009-2010.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act clarifying the intent and interpretation of Chapter 149, subsection 152A of the General Laws..

*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 152 A of Chapter 149 of the General Laws is amended by adding  
2 after subsection (e) the following sentence: Nothing in this section shall prohibit a person who  
3 serves beverages or prepared foods to patrons, or who clears patrons’ tables, and who works in a  
4 restaurant, banquet facility, or other place where prepared food or beverages are served, from  
5 receiving from a patron a tip or sharing in a tip left by a patron to whom such person served  
6 beverages or prepared food, nor shall it be a violation of this section for an employer or other  
7 person to allow such tipping, tip sharing, or tip pooling.

8           SECTION 2. This act shall take effect upon its passage, and this Act shall be retroactive  
9 to September 8, 2004.