

HOUSE No. 292

The Commonwealth of Massachusetts

—————
In the Year Two Thousand Nine
—————

An Act relative to the prohibition of alcoholic beverage vaporizers..

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 138 of the General Laws, as appearing in the 2002 official edition,

2 is

3 hereby amended by inserting the following new section:-

4 138:25G Alcoholic beverage vaporizers prohibited

5 No holder of a license issued under this chapter shall sell, deliver, or give away, or permit

6 to be sold, delivered, or given away any alcoholic beverage for dispensation by means of an

7 alcoholic beverage vaporizer. No such licensee shall bring, keep, maintain or use an alcoholic

8 beverage vaporizer on the licensed premises, or any area related to the licensed business over

9 which the licensee exercises control or for which the licensee is responsible. No licensee shall

10 suffer or permit any person to bring, keep, maintain or use an alcoholic beverage vaporizer on

11 the licensed premises, or any area related to the licensed business over which the licensee

12 exercises control or for which the licensee is responsible. For purposes of this section an

13 alcoholic vaporizer shall mean any device which, by means of heat, a vibrating element or any

14 method, is capable of producing a breathable mixture containing one or more alcoholic
15 beverages to be dispensed for inhalation into the lungs via the nose and/or mouth.

16 SECTION 2. Chapter 270 of the General Laws, as appearing in the 2002 official edition,
17 is hereby amended by inserting the following new section:-

18 270:18A Alcoholic beverage vaporizers

19 No person shall purchase, possess or use an alcoholic beverage vaporizer. For purposes
20 of this section an alcoholic vaporizer shall mean any device which, by means of heat, a
21 vibrating element or any method, is capable of producing a breathable mixture containing one
22 or more alcoholic beverages to be dispensed for inhalation into the lungs via the nose and/or
23 mouth.

24 Whoever violates the provisions of this section shall be punished by a fine of not more
25 than two hundred dollars or by imprisonment for not more than six months, or both.