

HOUSE No. 3924

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act to prohibit of novelty lighters in the commonwealth..

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 146 of the General Laws, is hereby amended by inserting the
2 following after section 52A:-

3 Section 52B. No person shall manufacture, store, keep for sale, sell, give away, or
4 transport any novelty lighter. For the purposes of this section, a novelty lighter is defined as a
5 mechanical or electrical device typically used for lighting cigarettes, cigars, or pipes that has
6 audio or visual effects, or that resembles in physical form or function articles commonly
7 recognized as appealing to or intended for use by children 10 years of age or younger. This
8 includes, but is not limited to, lighter that resemble cartoon character, toys, guns, watches,
9 musical instruments, vehicles, toy animal, food or beverages, or that play musical notes or have
10 flashing lights or other entertaining features. A novelty lighter may operate on any fuel,
11 including butane or liquid fuel. This section shall not apply to novelty lighters that were
12 manufactured before January 1, 1980 or that are considered to be collectable items.

13 Whoever manufactures, stores, keeps for sale, sells, gives away, or transports any novelty
14 lighters shall be punished by a fine of not more than \$100.