

HOUSE No. 4210

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

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.