

**SENATE . . . . . No. 1549**

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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 adoption of the accompanying bill:

An Act relative to the enhancement of fire safety.

PETITION OF:

NAME:

*James E. Timilty*

DISTRICT/ADDRESS:

**SENATE . . . . . No. 1549**

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By Mr. Timilty, a petition (accompanied by bill, Senate, No. 1549) of James E. Timilty for legislation relative to the enhancement of fire safety. Revenue.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1358 OF 2009-2010.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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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  
2 2006 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  
5 penalty not to exceed \$1,000 for a first violation and \$5,000 for a second or subsequent violation.  
6 Any cigarettes that have been sold or offered for sale that do not comply with the requirements  
7 of section 2B, 2C, or 2D shall be deemed contraband and shall be subject to seizure, without a  
8 warrant, by the Secretary and may be disposed by the Commonwealth, either by agreement of  
9 the parties or by order of the Court.

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

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