

SENATE No. 68

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 preventing the misuse of public funds.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Bruce E. Tarr</i>	
<i>Robert L. Hedlund</i>	
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Richard T. Moore</i>	
<i>James E. Timilty</i>	

SENATE No. 68

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 68) of Bruce E. Tarr, Robert L. Hedlund, Bradley H. Jones, Jr., Richard T. Moore and others for legislation to prevent the misuse of public funds. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act preventing the misuse of public funds.

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 10 is further amended in section 71 by inserting at end thereof
2 the following:-

3 The alcoholic beverage control commission, in consultation with the department of
4 transitional assistance, shall make information available on its website to licensees to the
5 penalties associated with the sale of Lottery products, tobacco products, or alcoholic products to
6 individuals paying with state-issued electronic benefit transfer cards, as outlined in section 2B of
7 chapter 18 of the General Laws.

8 Section 2. Chapter 18 of the General Laws is hereby amended by inserting after
9 section 2A the following new section:-

10 Section 2B. Recipients eligible for benefits under sections 2 and 2A of this
11 chapter shall be prohibited from using direct cash assistance funds held on electronic benefit
12 transfer, or EBT, cards for the in-state out or out-of-state purchase of alcoholic beverages,

13 tobacco products or Lottery products issued under the authority of the state lottery commission
14 pursuant to section 24 of chapter 10 of the General Laws, or comparable products issued by a an
15 authority in any other state. Any individual or store owner who knowingly accepts electronic
16 benefit transfer cards in violation of this section shall be punished by imprisonment in a house of
17 correction for not more than 1 1/2 years or a fine of \$500, or both. Individuals in violation of
18 this section may, upon determination by the commissioner, be ineligible for future benefits under
19 this chapter.

20 The department shall inform recipients of the penalties associated with the
21 purchase of alcoholic beverages, tobacco products or Lottery products using EBT cards, and
22 shall make information on the penalties available on its website.

23 Section 3. Section 27 of chapter 10 of the General Laws is hereby amended by
24 inserting at the end thereof the following:-

25 The state lottery commission, in consultation with the department of transitional
26 assistance, shall make information available on its website to licensees to the penalties associated
27 with the sale of Lottery products, tobacco products, or alcoholic products to individuals paying
28 with state-issued electronic benefit transfer cards.

29 Any licensee who knowingly accepts electronic benefit transfer cards in violation
30 of this section shall be punished by imprisonment in a house of correction for not more than 1
31 1/2 years or a fine of \$500, or both.

32 Section 4. Section 2 of Chapter 138 of the General Laws is hereby amended by
33 adding at the end thereof the following:-

34 Any holder of a license to sell alcohol who knowingly accepts electronic benefit
35 transfer cards in violation of this section shall be punished by imprisonment in a house of
36 correction for not more than 1 1/2 years or a fine of \$500, or both.