

**SENATE . . . . . No. 95**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Eileen M. Donoghue, (BY REQUEST)***

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*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 posting of fetal alcohol syndrome warning notices.

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PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Eileen M. Donoghue*

*868 Mammoth Road Dracut, MA 01826*

*Mr. Thomas Quinn*

**SENATE . . . . . No. 95**

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By Ms. Donoghue (by request), a petition (accompanied by bill, Senate, No. 95) of Eileen M. Donoghue for legislation to post fetal alcohol syndrome warning notices. Consumer Protection and Professional Licensure.

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act relative to the posting of fetal alcohol syndrome warning notices.

*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 is hereby amended by inserting the  
2 following new section:

3 Section 34E:

4 a) Each person licensed pursuant to chapter 138 of the General Laws shall prominently  
5 display a sign in each room in which alcoholic beverages are purchased or consumed and in each  
6 public restroom on the premises that reads as follows: ALCOHOL CONSUMPTION DURING  
7 PREGNANCY IS HARMFUL TO THE FETUS AND CAN CAUSE BIRTH DEFECTS, LOW  
8 BIRTH WEIGHT AND FETAL ALCOHOL SYNDROME, WHICH IS A LEADING CAUSE  
9 OF DEVELOPMENTAL DISABILITIES.

10 b) Each sign required by Section 1 shall not be less than 8 1/2 inches by 11 inches in  
11 size. The letters on the sign shall be not less than one-half inch in height, of the same type, style  
12 and color and shall contrast clearly with the sign's background.

13           c) The Alcoholic Beverages Control Commission shall provide, to any permittee who  
14 requests one, a sign that conforms to the requirements of Section 1 of this act and that is suitable  
15 for photocopying.

16           d) In the event there is no warning sign posted on the retailer's premises, it shall be the  
17 responsibility of the Alcoholic Beverages Control Commission to furnish the retailer with a  
18 warning sign. The retailer shall have 30 days from receipt of the warning sign to post it on the  
19 licensed premises. Thereafter, a retailer who violates Section 1 of this act is subject to a written  
20 warning for the first violation. For a second or subsequent violation, the retailer shall pay a fine  
21 of at least \$20 but not more than \$100 for each such violation. For the third and subsequent  
22 violations, each day the activity continues shall be a separate violation.