HOUSE DOCKET, NO. 1836 FILED ON: 1/17/2013

HOUSE . . . . . No. 1353

The Commonwealth of Massachusetts

PRESENTED BY:

Colleen M. Garry

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 theft of bulk merchandise containers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Colleen M. Garry	*36th Middlesex*

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HOUSE . . . . . No. 1353

By Ms. Garry of Dracut, a petition (accompanied by bill, House, No. 1353) of Colleen M. Garry for legislation to establish penalties for the theft of bulk merchandise containers. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to the theft of bulk merchandise containers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 266 of the General Laws, as appearing, is hereby amended in section 128, by adding at the end of the first paragraph the following new paragraph:-

"Any person who intentionally removes a bulk merchandise container that is used by a product producer, distributor or retailer or agent thereof which is used as a means for the bulk transportation, storage or carrying of retail products such as milk, eggs, bottled beverage products, bakery products from the premises of a store or other retail mercantile establishment, without the consent of the merchant given at the time of such removal, with the intention of permanently depriving the merchant of the possession, use or benefit of such container; shall be punished for a first offense by a fine not to exceed one hundred dollars, for a second offense by a fine of not less than one hundred nor more than two hundred fifty dollars and for a third or subsequent offense by a fine of not more than five hundred dollars or imprisonment in a jail for not more than six months, or by both such fine and imprisonment. Where the retail value of the containers obtained equals or exceeds one hundred dollars, any violation of this section shall be punished by a fine of not more than one thousand dollars or by imprisonment in the house of correction for not more than one year, or by both such fine and imprisonment."