

HOUSE No. 1945

The Commonwealth of Massachusetts

PRESENTED BY:

Tricia Farley-Bouvier

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 tobacco retailer certification.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	<i>1/17/2013</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>	<i>1/17/2013</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>	<i>1/17/2013</i>

HOUSE No. 1945

By Ms. Farley-Bouvier of Pittsfield, a petition (accompanied by bill, House, No. 1945) of Tricia Farley-Bouvier, Cory Atkins and Jonathan Hecht for legislation to establish a tobacco retailer certification program within the Department of Public Health. Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to tobacco retailer certification.

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 270 of the General Laws is hereby amended by inserting after
2 section 6A the following section:

3 Section 6B. Whoever sells a cigarette, chewing tobacco, snuff or any tobacco in any of
4 its forms to any person for personal consumption, or who operates a facility located within
5 Massachusetts where vending machines containing tobacco products are located, shall be
6 required to complete a tobacco retailer certification program once every three years beginning in
7 January 2015.

8 The tobacco retailer certification program shall emphasize compliance with local, state
9 and federal rules and regulations pertaining to the sale of tobacco products, and will include a
10 mandatory online training course and assessment. The cost of implementing and maintaining the
11 tobacco retailer certification program may be funded in whole or in part by a course fee collected
12 from tobacco retailers. The department of public health shall promulgate regulations providing
13 for the implementation of this section.

14 Tobacco retailers who fail to complete the certification program pursuant to the
15 regulations promulgated by the department of public health shall receive notice of non-
16 compliance and 30 days to correct such non-compliance. Tobacco retailers who fail to correct
17 such non-compliance within 30 days of notice shall be punished by a fine of not less than one
18 hundred dollars for the first offense, not less than two hundred dollars for the second offense and
19 not less three hundred dollars for any third or subsequent offense.