

**SENATE . . . . . No. 89**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

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

*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.

PETITION OF:

NAME:

*Thomas Quinn*

DISTRICT/ADDRESS:

*868 Mammoth Road Dracut, MA 01826*

**SENATE . . . . . No. 89**

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By Ms. Donoghue (by request), a petition (accompanied by bill, Senate, No. 89) of Thomas Quinn for legislation to post fetal alcohol syndrome warning notices. Consumer Protection and Professional Licensure.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 95 OF 2011-2012.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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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  
5 prominently display a sign in each room in which alcoholic beverages are purchased or  
6 consumed and in each public restroom on the premises that reads as follows: ALCOHOL  
7 CONSUMPTION DURING PREGNANCY IS HARMFUL TO THE FETUS AND CAN  
8 CAUSE BIRTH DEFECTS, LOW BIRTH WEIGHT AND FETAL ALCOHOL SYNDROME,  
9 WHICH IS A LEADING CAUSE OF DEVELOPMENTAL DISABILITIES.

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

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

16                   d) In the event there is no warning sign posted on the retailer's premises, it shall  
17 be the responsibility of the Alcoholic Beverages Control Commission to furnish the retailer with  
18 a 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 twenty dollars but not more than one hundred dollars for each such violation. For the  
22 third and subsequent violations, each day the activity continues shall be a separate violation.