

**HOUSE . . . . . No. 2023**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***James M. Murphy***

*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 to prohibit the sale of "energy drinks" to persons under the age of 18.

PETITION OF:

| NAME:                  | DISTRICT/ADDRESS:  | DATE ADDED:      |
|------------------------|--------------------|------------------|
| <i>James M. Murphy</i> | <i>4th Norfolk</i> | <i>1/13/2015</i> |

**HOUSE . . . . . No. 2023**

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By Mr. Murphy of Weymouth, a petition (accompanied by bill, House, No. 2023) of James M. Murphy for legislation to prohibit the sale of “energy drinks”, so-called, to persons eighteen years old or younger. Public Health.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2040 OF 2013-2014.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
In the One Hundred and Eighty-Ninth General Court  
(2015-2016)  
\_\_\_\_\_

An Act to prohibit the sale of "energy drinks" to persons under the age of 18.

*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. Section 3 of chapter 270 of the General Laws, as appearing in the 2010  
2 Official Edition, is hereby amended by adding at the end thereof the following new paragraph:

3 Whoever distributes, delivers, gives away or sells, any “Energy Drink” or other  
4 ingredient, substance or beverage that exceeds a caffeine content of seventy-one (71) milligrams  
5 per twelve (12) ounce serving and contains taurine and glucuronolactone or a soft drink that is  
6 classified as a dietary supplement not regulated by the Food and Drug Administration and that  
7 contains eighty (80) or more milligrams of caffeine per eight (8) fluid ounces and generally  
8 includes a combination of methylxanthines, B vitamins and herbal ingredients which are  
9 advertised as being specifically designed to provide or increase energy to any persons under the  
10 age of eighteen (18) shall be punished by a fine not less than fifty (50) dollars for the first

- 11 offense, one hundred (100) for the second offense and two hundred fifty (250) for the third
- 12 offense.