

**SENATE . . . . . No. 1178**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Cynthia Stone Creem*

*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 age of tobacco purchase.

PETITION OF:

NAME:

*Cynthia Stone Creem*

DISTRICT/ADDRESS:

*First Middlesex and Norfolk*

**SENATE . . . . . No. 1178**

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By Ms. Creem, a petition (accompanied by bill, Senate, No. 1178) of Cynthia S. Creem for legislation relative to the age of tobacco purchase. Public Health.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 747 OF 2015-2016.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act relative to the age of tobacco purchase.

*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 striking out  
2 sections 6 and 6A, as appearing in the 2014 Official Edition, and inserting in place thereof the  
3 following 2 sections:-

4           Section 6. (a) As used in this section and section 6A, the following words shall have the  
5 following meanings unless the context clearly requires otherwise:

6           "Person", an individual, firm, fiduciary, partnership, corporation, trust or association,  
7 however formed, a club, trustee, agency or receiver.

8           "Tobacco product", a product containing, made or derived from tobacco or nicotine that  
9 is intended for human consumption, whether smoked, chewed, absorbed, dissolved, inhaled,  
10 snorted, sniffed or ingested by any other means including, but not limited to: cigarettes, cigars,

11 little cigars, chewing tobacco, pipe tobacco and snuff and electronic cigarettes, electronic cigars,  
12 electronic pipes or other similar products that rely on vaporization or aerosolization; provided,  
13 however, that “tobacco product” shall include any component, part or accessory of a tobacco  
14 product; and provided further, that “tobacco product” shall not include a product that has been  
15 approved by the United States Food and Drug Administration for the sale as a tobacco cessation  
16 product and is marketed and sold exclusively for the approved purpose.

17 (b) No person shall sell a tobacco product to a person under the age of 21 or, not being  
18 his parent or guardian, give a tobacco product to a person under the age of 21.

19 (c) A person who violates this section shall be punished by a fine of \$100 for the first  
20 offense, \$200 for a second offense and \$300 for a third or subsequent offense.

21 Section 6A. (a) A person who sells tobacco rolling papers to a person under the age of 21  
22 shall be punished by a fine of \$25 for the first offense, \$50 for the second offense and \$100 for a  
23 third or subsequent offense.