

HOUSE No. 1397

The Commonwealth of Massachusetts

PRESENTED BY:

Shawn Dooley

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 regulating the sale and purchase of butane and propane.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>1/10/2019</i>
<i>Michael J. Soter</i>	<i>8th Worcester</i>	<i>1/27/2019</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>	<i>2/1/2019</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>1/31/2019</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>1/31/2019</i>
<i>Angelo M. Scaccia</i>	<i>14th Suffolk</i>	<i>2/1/2019</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>2/1/2019</i>

HOUSE No. 1397

By Mr. Dooley of Norfolk, a petition (accompanied by bill, House, No. 1397) of Shawn Dooley and others relative to the sale and purchase of butane and propane. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4322 OF 2017-2018.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act regulating the sale and purchase of butane and propane.

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

1 Chapter 270 of the General Laws is hereby amended by adding the following section:-

2 Section 27. (a) For the purposes of this section, the following terms shall have the
3 following meanings, unless the context clearly requires otherwise:

4 “Butane”, any product that contains butane as its main component, excluding products
5 where butane is a secondary component or a propellant.

6 “Propane”, any product that contains propane as its main component, excluding products
7 where propane is a secondary component or a propellant.

8 (b) No person shall sell, furnish or provide, or purchase with the intent to sell, furnish or
9 provide butane or propane to or for use by a person who they know or have reason to believe is
10 under 18 years of age.

11 (c) Subsection (b) shall not apply if a parent and child, guardian and ward, or adult
12 instructor and pupil relationship exists between the person, in their individual capacity, selling,
13 furnishing or providing, or purchasing with the intent to sell, furnish or provide butane or
14 propane and the person under 18 years of age, except where such parent, guardian, or adult
15 instructor knowingly sells, furnishes or provides, or purchases with the intent to sell, furnish or
16 provide butane or propane to a person under 18 years of age for the purpose of THC or
17 cannabinoid extraction.

18 (d) Whoever violates subsection (b) shall be subject to a fine of not less than \$250 for the
19 first violation and not less than \$500 for each subsequent violation.

20 (e) Whoever willfully misrepresents their age, or in any way alters, defaces or otherwise
21 falsifies their identification offered as proof of age in the act of procuring or purchasing propane
22 or butane shall be subject to a fine of not less than \$250 for the first offense and not less than
23 \$500 for each subsequent offense.

24 (f) Whoever reasonably relies on a motor vehicle license issued pursuant to section 8 of
25 chapter 90, an identification card issued pursuant to section 8E of said chapter 90, a valid
26 passport issued by the United States government, or by the government, recognized by the
27 United States government, of a foreign country, or a valid United States issued military
28 identification card for proof of a person's identity and age shall be presumed to have exercised
29 due care and shall not be liable under, or in violation of, subsection (b).