

**HOUSE . . . . . No. 1900**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Tami L. Gouveia and Sean Garballey***

*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 protect youth from the harms of tobacco and e-cigarette products.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>1/16/2019</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>1/17/2019</i>

**HOUSE . . . . . No. 1900**

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By Representatives Gouveia of Acton and Garballey of Arlington, a petition (accompanied by bill, House, No. 1900) of Tami L. Gouveia and Sean Garballey for legislation to regulate access to certain tobacco products by persons under twenty-one years of age. Public Health.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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An Act to protect youth from the harms of tobacco and e-cigarette products.

*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 6 of Chapter 270 of the General Laws is hereby amended by adding  
2 the following definitions to Subsection (a): -

3           “Adult-Only Retail Tobacco Store”, an establishment that is not required to possess a  
4 retail food permit whose primary purpose is to sell or offer for sale but not for resale, tobacco  
5 products and tobacco paraphernalia, in which the sale of other products or offer of services is  
6 merely incidental, and in which the entry of persons under the minimum legal sales age is  
7 prohibited at all times, and which maintains all municipal and state permits required for the retail  
8 sale of tobacco products.

9           SECTION 2. Section 6 of Chapter 270 of the General Laws is hereby amended by adding  
10 the following subsection at the end thereof: -

11 (f) No manufacturer or retailer shall sell, distribute, or cause to be distributed a tobacco  
12 product to a consumer, except in an adult-only retail tobacco store or in a smoking bar, as  
13 defined in Section 22 of Chapter 270 of the General Laws.

14 SECTION 3. Nothing in this law shall preempt the stricter regulation of the sale or  
15 distribution of tobacco products or smoking bars by the Commonwealth and any of its political  
16 subdivision.