

**HOUSE . . . . . No. 1960**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Jay D. Livingstone*

*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 protecting youth from second hand smoke.

PETITION OF:

NAME:

*Jay D. Livingstone*

DISTRICT/ADDRESS:

*8th Suffolk*

**HOUSE . . . . . No. 1960**

By Mr. Livingstone of Boston, a petition (accompanied by bill, House, No. 1960) of Jay D. Livingstone for legislation to prohibit smoking in all enclosed areas of multi-unit residences. Public Health.

**The Commonwealth of Massachusetts**

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

An Act protecting youth from second hand smoke.

*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 127A of Chapter 111 of the General Laws, as appearing in the 2018  
2 Official Edition, is hereby amended by adding the following new paragraph: -

3 Smoking shall be prohibited in all enclosed areas of a multi-unit residence, including  
4 inside the residential units of the building, for which the municipal authorization of occupancy  
5 for any part of the building occurs on or after January 1, 2020. "Multi-unit Residence" means  
6 property containing two (2) or more Units, including, but not limited to, apartment buildings,  
7 condominium complexes, senior and assisted living facilities, and long-term health care  
8 facilities, but does not include a single-family home physically detached from another residential  
9 or commercial structure, except if and when used as a healthcare or childcare services subject to  
10 municipal or state licensing requirements. "Smoking" means the lighting or possessing of a  
11 lighted of a cigar, cigarette, pipe or other tobacco product or non-tobacco product including

12 designed to be combusted and inhaled, including marijuana. Smoking shall not mean the heating  
13 of marijuana that does not cause combustion.

14 SECTION 2. Section 127C of Chapter 111 of the General Laws, as appearing in the  
15 2018 Official Edition, is hereby amended by striking the words “tenant” wherever it appears, and  
16 inserting in place thereof “tenant or condominium unit owner.”