

**HOUSE . . . . . No. 436**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Paul McMurtry***

*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 acceptance of out-of-state identification in Massachusetts.

PETITION OF:

| NAME:                         | DISTRICT/ADDRESS:           | DATE ADDED:      |
|-------------------------------|-----------------------------|------------------|
| <i>Paul McMurtry</i>          | <i>11th Norfolk</i>         | <i>2/18/2021</i> |
| <i>Steven S. Howitt</i>       | <i>4th Bristol</i>          | <i>2/25/2021</i> |
| <i>Christopher Hendricks</i>  | <i>11th Bristol</i>         | <i>2/25/2021</i> |
| <i>F. Jay Barrows</i>         | <i>1st Bristol</i>          | <i>2/25/2021</i> |
| <i>Sarah K. Peake</i>         | <i>4th Barnstable</i>       | <i>2/26/2021</i> |
| <i>David K. Muradian, Jr.</i> | <i>9th Worcester</i>        | <i>2/26/2021</i> |
| <i>Kelly W. Pease</i>         | <i>4th Hampden</i>          | <i>3/10/2021</i> |
| <i>Patrick M. O'Connor</i>    | <i>Plymouth and Norfolk</i> | <i>3/15/2021</i> |
| <i>Steven Ultrino</i>         | <i>33rd Middlesex</i>       | <i>3/19/2021</i> |
| <i>Kay Khan</i>               | <i>11th Middlesex</i>       | <i>7/1/2021</i>  |

**HOUSE . . . . . No. 436**

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By Mr. McMurtry of Dedham, a petition (accompanied by bill, House, No. 436) of Paul McMurtry and others relative to the identification required for the purchase of alcoholic beverages. Consumer Protection and Professional Licensure.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 305 OF 2019-2020.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
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An Act relative to acceptance of out-of-state identification in Massachusetts.

*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 34B of Chapter 138 of the General Laws, as appearing in the 2014 Official  
2 Edition, is hereby amended by inserting after the second paragraph the following paragraph:

3 Notwithstanding any general or special law to the contrary, the commission shall permit a  
4 licensee or agent or employee thereof to rely upon a valid license to operate a motor vehicle  
5 issued by another state for proof of a person’s identity and age. Any licensee, or agent or  
6 employee, thereof, under this chapter who relies on such out of state license shall not suffer any  
7 modification, suspension, revocation or cancellation of a license nor shall he or she suffer any  
8 criminal liability for delivering or selling alcohol or alcoholic beverages to a person under 21  
9 years of age. Any licensee, or agent or employee thereof, under this chapter who relies upon such  
10 a valid license for proof of a person’s identity and age shall be presumed to have exercised due

11 care in making such delivery or sale of alcohol or alcoholic beverages to a person under 21 years  
12 of age. Such presumption shall be rebuttable; provided, however, that nothing contained herein  
13 shall affect the applicability of section 69.