

**HOUSE . . . . . No. 369**

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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>1/19/2023</i>

**HOUSE . . . . . No. 369**

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By Representative McMurtry of Dedham, a petition (accompanied by bill, House, No. 369) of Paul McMurtry 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. 436 OF 2021-2022.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
\_\_\_\_\_

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.