

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

William C. Galvin

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 banning the sale and possession of certain vape pens.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>William C. Galvin</i>	<i>6th Norfolk</i>	<i>9/25/2023</i>

HOUSE No.

By Representative Galvin of Canton, a petition (subject to Joint Rule 12) of William C. Galvin for legislation to further regulate the sale and possession of certain vape pens. Public Health.

The Commonwealth of Massachusetts

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

An Act banning the sale and possession of certain vape pens.

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. Chapter 71 of the General Laws, as appearing in the 2022 Official Edition,
2 is hereby amended by adding the following section:-

3 Section 100. (a) No person shall possess an electronic nicotine delivery system, as
4 defined in subsection (a) of section 29 of chapter 270 of the General Laws, within the school
5 buildings, facilities, on school grounds or school buses of a public or private primary or
6 secondary school or at a school sponsored event.

7 (b) Each school committee or board of trustees shall establish a policy regarding
8 violations of this section.

9 SECTION 2. Chapter 74 of the General Laws, as so appearing, is hereby amended by
10 adding the following section:-

11 Section 59. (a) No person shall possess an electronic nicotine delivery system, as defined
12 in subsection (a) of section 29 of chapter 270 of the General Laws, within the school buildings or

13 facilities or on the grounds or school buses of a public or private vocational school or at a
14 vocational school-sponsored event.

15 (b) Each school committee or board of trustees shall establish a policy regarding
16 violations of this section.

17 SECTION 3. Section 29 of chapter 270 of the General Laws, as so appearing, is hereby
18 amended by adding the following subsection:-

19 (d) No person shall sell an electronic nicotine delivery system designed to look like an
20 item other than an electronic nicotine delivery system including, but not limited to: markers,
21 pens, pencils, erasers and other common school or office supplies, asthma inhalers, clothing,
22 backpacks, watches, toys, phones, phone cases or USB drives.