HOUSE DOCKET, NO. 500 FILED ON: 1/9/2025

HOUSE . . . . . No. 127

The Commonwealth of Massachusetts

PRESENTED BY:

Christopher Hendricks

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 prohibiting the aquaculture of any species of octopus for the purpose of human consumption.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Christopher Hendricks	*11th Bristol*	*1/9/2025*
Natalie M. Higgins	*4th Worcester*	*3/18/2025*

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HOUSE . . . . . No. 127

By Representative Hendricks of New Bedford, a petition (accompanied by bill, House, No. 127) of Christopher Hendricks for legislation to establish penalties for the aquaculture of any species of octopus for the purpose of human consumption. Agriculture.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act prohibiting the aquaculture of any species of octopus for the purpose of human consumption.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 130 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following section:-

Section 107. (a) For the purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Aquaculture", waters used primarily and directly in the commercial cultivation of aquatic organisms including finfish, mollusk or crustacean in a controlled environment.

"Octopus", a cephalopod mollusk with a soft body and 8 limbs belonging to the order Octopoda and does not include wild-caught octopuses or octopuses propagated, cultivated, maintained, reared or harvested only for research purposes unrelated to commercial production.

(b) No person shall engage in the aquaculture of any species of octopus for the purpose of human consumption.

(c) No business entity shall sell, possess or transport any species of octopus that is the result or product of aquaculture.

(d) Whoever violates any provision of this section or any rule or regulation adopted pursuant thereto, shall be subject, upon an order of a court, to a civil penalty not to exceed $1,000 per day of the violation, and each day during which the violation continues shall constitute an additional, separate and distinct offense. Any civil penalty imposed pursuant to this section may be collected with costs in a summary proceeding pursuant to chapter 30A or may be collected in a civil action commenced by the commissioner. In addition to any penalties, costs or interest charges, the superior court may assess against the violator the amount of economic benefit accruing to the violator from the violation.

(e) The division may adopt rules and regulations as may be necessary to implement the provisions of this section.