

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Paul K. Frost*

*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 local boards of health and the sale of legal tobacco products in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul K. Frost</i>	<i>7th Worcester</i>	<i>1/16/2025</i>

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

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[Pin Slip]

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2166 OF 2023-2024.]

**The Commonwealth of Massachusetts**

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

An Act relative to local boards of health and the sale of legal tobacco products in the Commonwealth.

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

1           Notwithstanding any general or special law to the contrary, Boards of Health in cities and  
2 towns shall not have the power to ban the community-wide sale of legal tobacco products by  
3 authorized stores, establishments and any other entities legally allowed to sell tobacco in the  
4 Commonwealth and within the existing by-laws of the community, wholesale or retail, without  
5 receiving the approval of town meeting or city council to create such a by-law within the city or  
6 town. This provision shall not interfere with a Board of Health’s ability to take action for an  
7 emergency and immediate health concern for a certain brand of the tobacco product or from a  
8 specific location if a health code violation has otherwise occurred or some other emergency  
9 health issue should arise so long as such action is not to ban the legal sale for the sake of doing  
10 so.