

HOUSE No. 436

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>

HOUSE No. 436

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.

[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)**

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.