

SENATE No. 1397

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis

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 to protect youth from the harms of tobacco and e-cigarette products.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/1/2023</i>

SENATE No. 1397

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 1397) of Jason M. Lewis and Vanna Howard for legislation to regulate access to certain tobacco products by persons under twenty-one years of age. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1459 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act to protect youth from the harms of tobacco and e-cigarette products.

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. Section 6 of Chapter 270 of the General Laws is hereby amended by adding
2 the following definition to Subsection (a): -

3 “Adult-Only Retail Tobacco Store”, an establishment that is not required to possess a
4 retail food permit whose primary purpose is to sell or offer for sale but not for resale, tobacco
5 products and tobacco paraphernalia, in which the sale of other products or offer of services is
6 merely incidental, and in which the entry of persons under the minimum legal sales age is
7 prohibited at all times, and which maintains all municipal and state permits required for the retail
8 sale of tobacco products.

9 SECTION 2. Section 6 of Chapter 270 of the General Laws is hereby amended by adding
10 the following subsection at the end thereof: -

11 (f) No manufacturer or retailer shall sell, distribute, or cause to be distributed a tobacco
12 product to a consumer, except in an adult-only retail tobacco store or in a smoking bar, as
13 defined in Section 22 of Chapter 270 of the General Laws.

14 SECTION 3. Nothing in this law shall preempt the stricter regulation of the sale or
15 distribution of tobacco products or smoking bars by the Commonwealth and any of its political
16 subdivision.