SENATE DOCKET, NO. FILED ON: 1/9/2009

**SENATE . . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PRESENTED BY:

**Morrissey, Michael (SEN)**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*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 passage of the accompanying bill:

An Act prohibiting the possession by or sale of spray paint to minors.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Morrissey, Michael (SEN) | Norfolk and Plymouth |
| Councillor Brian McNamee | Ward 6 Quincy City Councillor |
| Bruce J. Ayers | 1st Norfolk |
| Ronald Mariano | 3rd Norfolk |
| A. Stephen Tobin | 2nd Norfolk |

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00975 OF 2007-2008.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

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An Act prohibiting the possession by or sale of spray paint to minors.

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

 SECTION 1.  Chapter 126B of the General Laws as appearing in the 2004 Official Edition is hereby amended by inserting after section 126B the following 2 new sections:-

Section 126C.  Whoever, being under the age of 17, possesses any aerosol canister containing paint, with the intent to violate section 126A or 126B, shall be punished by imprisonment in the house of correction for not more than 2 years or by a fine of not more than $250, or by both such fine and imprisonment.

Section 126D.  Whoever sells an aerosol canister containing paint to any person under the age of 17 shall be punished by a fine of $500 for each violation of this section.