

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**John F. Quinn**

*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 relative to the prohibition of alcoholic beverage vaporizers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
John F. Quinn	9th Bristol
Michael J. Rodrigues	8th Bristol

# The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine  
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## AN ACT RELATIVE TO THE PROHIBITION OF ALCOHOLIC BEVERAGE VAPORIZERS.

*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. Chapter 138 of the General Laws, as appearing in the 2002 official edition, is  
2 hereby amended by inserting the following new section:-  
3 138:25G Alcoholic beverage vaporizers prohibited  
4 No holder of a license issued under this chapter shall sell, deliver, or give away, or permit to be  
5 sold, delivered, or given away any alcoholic beverage for dispensation by means of an alcoholic  
6 beverage vaporizer. No such licensee shall bring, keep, maintain or use an alcoholic beverage  
7 vaporizer on the licensed premises, or any area related to the licensed business over which the  
8 licensee exercises control or for which the licensee is responsible. No licensee shall suffer or  
9 permit any person to bring, keep, maintain or use an alcoholic beverage vaporizer on the licensed  
10 premises, or any area related to the licensed business over which the licensee exercises control or  
11 for which the licensee is responsible. For purposes of this section an alcoholic vaporizer shall  
12 mean any device which, by means of heat, a vibrating element or any method, is capable of

13 producing a breathable mixture containing one or more alcoholic beverages to be  
14 dispensed for inhalation into the lungs via the nose and/or mouth.

15 SECTION 2. Chapter 270 of the General Laws, as appearing in the 2002 official edition, is  
16 hereby amended by inserting the following new section:-

17 270:18A Alcoholic beverage vaporizers

18 No person shall purchase, possess or use an alcoholic beverage vaporizer. For purposes of this  
19 section an alcoholic vaporizer shall mean any device which, by means of heat, a vibrating  
20 element or any method, is capable of producing a breathable mixture containing one or more  
21 alcoholic beverages to be dispensed for inhalation into the lungs via the nose and/or mouth.

22 Whoever violates the provisions of this section shall be punished by a fine of not more than two  
23 hundred dollars or by imprisonment for not more than six months, or both.

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