SENATE DOCKET, NO. 328 FILED ON: 1/19/2011

SENATE . . . . . No. 1549

The Commonwealth of Massachusetts

PRESENTED BY:

James E. Timilty

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:

An Act relative to the enhancement of fire safety.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James E. Timilty	
	☐ *[District]*
	☐

SENATE DOCKET, NO. 328 FILED ON: 1/19/2011

SENATE . . . . . No. 1549

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 1549) of James E. Timilty for legislation relative to the enhancement of fire safety. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *1358* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to the enhancement of fire safety.

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. Subsection (a) of Section 2E of Chapter 64C as appearing in the 2006 Official Edition, is hereby amended by striking out the last 2 sentences of said section and inserting in place thereof the following:-

Any person violating the provisions of section 2D shall be subject to a civil penalty not to exceed $1,000 for a first violation and $5,000 for a second or subsequent violation. Any cigarettes that have been sold or offered for sale that do not comply with the requirements of section 2B, 2C, or 2D shall be deemed contraband and shall be subject to seizure, without a warrant, by the Secretary and may be disposed by the Commonwealth, either by agreement of the parties or by order of the Court.

SECTION 2. Subsection (b) of Section 2E of Chapter 64C is hereby amended by adding the following new sentence:-

The Secretary may, as an alternative to court action, assess a civil penalty, after hearing, of not more than $5,000 for each such violation of sections 2B, 2C or 2D.