SENATE DOCKET, NO. 852 FILED ON: 1/20/2011

SENATE . . . . . No. 928

The Commonwealth of Massachusetts

PRESENTED BY:

John Hart, Jr.

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 clarifying the intent and interpretation of Chapter 149, subsection 152A of the General Laws.

.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
John Hart, Jr.	*[District]*

SENATE DOCKET, NO. 852 FILED ON: 1/20/2011

SENATE . . . . . No. 928

By Mr. Hart, petition (accompanied by bill, Senate, No. 928) of Hart relative to tips and tip sharing in restaurants [Joint Committee on Labor and Workforce Development].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *4210* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act clarifying the intent and interpretation of Chapter 149, subsection 152A of the General Laws.

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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. Section 152 A of Chapter 149 of the General Laws is amended by adding after subsection (e) the following sentence: Nothing in this section shall prohibit a person who serves beverages or prepared foods to patrons, or who clears patrons' tables, and who works in a restaurant, banquet facility, or other place where prepared food or beverages are served, from receiving from a patron a tip or sharing in a tip left by a patron to whom such person served beverages or prepared food, nor shall it be a violation of this section for an employer or other person to allow such tipping, tip sharing, or tip pooling.

SECTION 2. This act shall take effect upon its passage, and this Act shall be retroactive to September 8, 2004.