

SENATE . . . . . No. 2189

**The Commonwealth of Massachusetts**

SENATE, APRIL 11, 1985.

The committee on Health Care, to whom was referred the petition (accompanied by bill, Senate, No. 1577) of John A Brennan, Jr., Edward L. Sweda, Jr., Lawrence R. Alexander, Peter A. Vellucci, John E. McDonough and other members of the General Court for legislation to prohibit the sale of cigarettes in health care facilities; and the petition (accompanied by bill, Senate, No. 1578) of John A. Brennan, Jr., for legislation to prohibit the sale of cigarettes in health care facilities, reports the accompanying bill (Senate, No. 2189).

For the Committee

**EDWARD L. BURKE**

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-five.

### AN ACT TO PROHIBIT THE SALE OF TOBACCO IN HEALTH CARE FACILITIES.

*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 64C of the General Laws is hereby  
2 amended by adding, after Section 2, the following section: —  
3 Section 2A. No person shall sell tobacco products in any  
4 health care facility as defined in Section 25B of Chapter 111  
5 of the General Laws, except in a long term care facility as  
6 defined in Section 25B and Section 71 of Chapter 111 of the  
7 General Laws. The Commissioner, as defined in Section 1 of  
8 Chapter 62C of the General Laws, shall suspend any license  
9 or registration, issued pursuant to Section 67 of Chapter 62C  
10 of the General Laws, of any person who violates this section.

1 SECTION 2. Section 68 of Chapter 62C of the General Laws  
2 as most recently amended by Chapter 415 of the Acts of 1976,  
3 is hereby amended by striking the first sentence of the second  
4 paragraph and inserting in place thereof the following  
5 sentence: —  
6 Any person aggrieved by such suspension or revocation, or  
7 by a suspension made pursuant to Section 2A of Chapter 64C  
8 of the General Laws, may appeal therefrom to the appellate  
9 tax board within (10) days after written notice of the decision  
10 has been mailed or delivered to him.