

By Mr. Hodgkins of Lee, petition of Christopher J. Hodgkins, Ellen Story, Elizabeth A. Malia, Susan W. Pope and Vincent A. Pedone for legislation to prohibit the sale of tobacco products in pharmacies or drug stores. Health Care.

---

---

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
In the Year Two Thousand and One.  
\_\_\_\_\_

AN ACT TO PROHIBIT THE SALE OF TOBACCO PRODUCTS IN PHARMACIES  
OR DRUG STORES.

*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 112 of the General Laws is hereby  
2 amended by inserting after Section 30, the following section:—

3 Section 30A. No registered pharmacist, registered assistant  
4 pharmacist or other person shall sell cigarettes, as defined in  
5 section one of chapter sixty-four C, smokeless tobacco, as defined  
6 in section one of chapter sixty-four C, or other tobacco product in  
7 any pharmacy or drug store which is regulated pursuant to section  
8 thirty-eight of this chapter.

1 SECTION 2. Section 40 of Chapter 112 of the General Laws, as  
2 most recently amended by Chapter 97 of the Acts of 1986, is here-  
3 by amended by striking the first sentence therein and inserting in  
4 place thereof the following:—

5 The board may suspend or revoke any registration made under  
6 section thirty-nine, thirty-nine A or thirty-nine B and any permit  
7 issued thereunder for any violation of the law pertaining to the  
8 drug business or the sale of alcoholic beverages, as defined in sec-  
9 tion one of chapter one hundred and thirty-eight, or the sale of  
10 cigarettes, as defined in section one of chapter sixty-four C,  
11 smokeless tobacco, as defined in section one of chapter sixty-  
12 four C, or any other tobacco product, or for any violation of the  
13 rules and regulations established by the board, or for aiding or

14 abetting a violation of any such law, rules or regulations; but  
15 before such suspension or revocation the board shall give a hear-  
16 ing to the holder of the permit, after due notice to him of the  
17 charges against him and of the time and place of the hearing.