

By Mr. Larkin of Pittsfield, petition of Peter J. Larkin and others relative to further defining establishments subject to the law prohibiting smoking in public places. Public Health.

The Commonwealth of Massachusetts

PETITION OF:

Peter J. Larkin  
Peter J. Koutoujian

Richard T. Moore

In the Year Two Thousand and Five.

AN ACT TO ALLEVIATE THE COMPETITIVE ADVANTAGE OF MEMBERSHIP ASSOCIATIONS RELATIVE TO THE STATE-WIDE SMOKING BAN.

*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 22 of chapter 270 of the General Laws, as amended by  
2 section 2 of Chapter 137 of the Acts of 2004, is hereby further  
3 amended, in the definition of "membership association", by  
4 striking out the last sentence and inserting in place thereof, the  
5 following:— Except for a religious place of worship or instruc-  
6 tion, an entity shall not be a membership association for the pur-  
7 poses of this definition, unless individual membership, containing  
8 not less than full membership costs, benefits and responsibilities,  
9 is required for all members of the association for a period of not  
10 less than 90 days. A membership association is not a membership  
11 association if the facilities, including but not limited to, meal and  
12 beverage services, are utilized by non-members.

