

Section 121 contained in the engrossed Bill making appropriations for the fiscal year 2005 (see House, No. 4850), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment N of House, No. 4901). June 28, 2004.

The Commonwealth of Massachusetts

In the Year Two Thousand and Four.

AN ACT RELATIVE TO THE SALE OF CIGARETTES.

1 Whereas, The deferred operation of this act would tend to  
2 defeat its purpose, which is to regulate forthwith the sale of ciga-  
3 rettes, therefore it is hereby declared to be an emergency law, nec-  
4 essary for the immediate preservation of the public convenience.

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. Subsection (a) of section 14 of chapter 64C of the  
2 General Laws, as so appearing, is hereby amended by striking out  
3 the last sentence and inserting in place thereof the following sen-  
4 tence:— In addition to other remedies provided by law, the com-  
5 missioner shall assess against any retailer or wholesaler that  
6 violates this subsection a civil administrative fine of not more  
7 than \$5,000 for a first offense, a civil administrative fine of not  
8 more than \$15,000 for a second offense, and a civil administrative  
9 fine of not more than \$30,000 with a report by the commissioner  
10 to the appropriate licensing authority or authorities for discipli-  
11 nary action concerning the retailer’s or wholesaler’s license for a  
12 third or subsequent offense.

1 SECTION 2. This act shall take effect as of July 1, 2004.

