

HOUSE No. 1531

By Mr. Kane of Holyoke, petition of Michael F. Kane relative to the penalty for the theft of milk crates. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE THEFT OF MILK CRATES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 266 of the General Laws, as appearing, is hereby
2 amended in Section 128, by adding at the end of the first paragraph
3 the following new paragraph:—

4 “Any person who intentionally removes a plastic bulk merchan-
5 dise container that is used by a product producer, distributor or
6 retailer or agent thereof which is used as a means for the bulk trans-
7 portation, storage or carrying of retail containers of milk, or so-
8 called “milk crate”, from the premises of a store or other retail
9 mercantile establishment, without the consent of the merchant given
10 at the time of such removal, with the intention of permanently
11 depriving the merchant of the possession, use or benefit of such con-
12 tainer; shall be punished for a first offense by a fine not to exceed
13 one hundred dollars, for a second offense by a fine of not less than
14 one hundred nor more than two hundred fifty dollars and for a third
15 or subsequent offense by a fine of not more than five hundred dol-
16 lars or imprisonment in a jail for not more than six months, or by
17 both such fine and imprisonment. Where the retail value of the con-
18 tainers obtained equals or exceeds one hundred dollars, any violation
19 of this section shall be punished by a fine of not more than one thou-
20 sand dollars or by imprisonment in the house of correction for not
21 more than one year, or by both such fine and imprisonment.