

SENATE NO. 193

AN ACT PROHIBITING ALCHOHOLIC BEVERAGE VAPORIZERS

*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 138 of the General Laws, as appearing in the 2004 official edition, is
2 hereby amended by inserting the following new section:-

3 138:25G Alcoholic beverage vaporizers prohibited

4 No holder of a license issued under this chapter shall sell, deliver, or give away, or
5 permit to be sold, delivered, or given away any alcoholic beverage for dispensation by means of
6 an alcoholic beverage vaporizer. No such licensee shall bring, keep, maintain or use an
7 alcoholic beverage vaporizer on the licensed premises, or any area related to the licensed
8 business over which the licensee exercises control or for which the licensee is responsible. No
9 licensee shall suffer or permit any person to bring, keep, maintain or use an alcoholic beverage
10 vaporizer on the licensed premises, or any area related to the licensed business over which the
11 licensee exercises control or for which the licensee is responsible. For purposes of this section

12 an alcoholic vaporizer shall mean any device which, by means of heat, a vibrating element or
13 any method, is capable of producing a breathable mixture containing one or more alcoholic
14 beverages to be dispensed for inhalation into the lungs via the nose or mouth.

15 Whoever violates the provisions of this section shall be punished by a fine of not more
16 than two hundred dollars or by imprisonment for not more than six months, or both.

17 SECTION 2. Chapter 270 of the General Laws, as appearing in the 2002 official edition, is
18 hereby amended by inserting the following new section:-

19 270:18A Alcoholic beverage vaporizers

20 No person shall purchase, possess or use an alcoholic beverage vaporizer. For purposes
21 of this section an alcoholic vaporizer shall mean any device which, by means of heat, a
22 vibrating element or any method, is capable of producing a breathable mixture containing one or
23 more alcoholic beverages to be dispensed for inhalation into the lungs via the nose or mouth.

24 Whoever violates the provisions of this section shall be punished by a fine of not more
25 than two hundred dollars or by imprisonment for not more than six months, or both.