

The Commonwealth of Massachusetts

-----  
In the Year Two Thousand.  
-----

Chapter 175

AN ACT RELATIVE TO THE SALE OR DELIVERY OF ALCOHOLIC BEVERAGES OR ALCOHOL TO A PERSON UNDER 21 YEARS OF AGE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to strengthen forthwith the criminal laws relative to the sale of alcoholic beverages to minors, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health, safety and convenience.

---

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

Section 34 of chapter 138 of the General Laws, as appearing in the 1998 Official Edition, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

No person shall receive a license or permit under this chapter who is under 21 years of age. Whoever makes a sale or delivery of any alcoholic beverage or alcohol to any person under 21 years of age, either for his own use or for the use of his parent or any other person, or whoever, being a patron of an establishment licensed under section 12 or 15, delivers or procures to be delivered in any public room or area of such establishment if licensed under section 12, 15, 19B, 19C or 19D or in any area of such establishment if licensed under said section 15, 19B, 19C or 19D any such beverages or alcohol to or for use by a person who he knows or has reason to believe is under 21 years of age or whoever procures any such beverage or alcohol for a person under 21 years of age in any establishment licensed under section 12 or procures any such beverage or alcohol for a person under 21 years of age who is not his child, ward or spouse in any establishment licensed under said section 15, 19B, 19C or 19D or whoever furnishes any such beverage or alcohol for a person under 21 years of age shall be punished by a fine of not more than \$2,000 or by imprisonment for not more than one year or both. For the purpose of this section the word "furnish" shall mean to knowingly or intentionally supply, give, or provide to or allow a person under 21 years of age except for the children and grandchildren of the person being charged to possess alcoholic beverages on premises or property owned or controlled by the person charged.

Nothing in this section shall be construed to prohibit any person licensed under this chapter from employing any person 18 years of age or older for the direct handling or selling of alcoholic beverages or alcohol.