

HOUSE No. 1914

By Mr. Walsh of Lowell, petition of George T. Walsh and others for the licensing and regulation of betting offices in cities and towns for the purpose of providing revenue for old age assistance. Legal Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-One.

AN ACT PROVIDING FOR THE LICENSING AND REGULATION OF BETTING OFFICES IN CITIES AND TOWNS WHICH ACCEPT THIS ACT TO PROVIDE REVENUE FOR OLD AGE ASSISTANCE.

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. The General Laws are hereby amended
2 by inserting after chapter one hundred and twenty-
3 eight A, as amended, the following new chapter: —

4 CHAPTER 128B.

5 BETTING OFFICES.

6 *Section 1.* In any city or town which accepts the
7 provisions of this chapter by vote of the voters
8 thereof at a regular election the state racing commis-
9 sion is hereby empowered to grant one license to con-
10 duct a betting office and an additional betting office

11 for every population unit of twenty-five thousand
12 above twenty-five thousand, subject to the provisions
13 of this chapter, for the acceptance of wagers on the
14 speed or ability of horses or dogs in races legally con-
15 ducted at any track in the United States.

16 *Section 2.* The fee for such license shall be one
17 thousand dollars and no such license shall issue unless
18 the person applying therefor shall have executed
19 and delivered to the commission a bond in such
20 amount as the commission shall establish based on
21 its estimate of the business expected to be done by
22 the licensee with surety or sureties as shall be ap-
23 proved by the commission. Said bond shall be condi-
24 tioned upon the payment of all sums which may
25 become due to the commission under this chapter.

26 *Section 3.* The commissioner of corporations and
27 taxation shall collect twenty per cent of the total
28 amount placed with each betting office as wagers and
29 turn it over to the state treasurer who shall use it for
30 carrying out any and all of the provisions of chapter
31 one hundred and eighteen A.

32 *Section 4.* Five per cent of such total amount shall
33 be retained by the licensee as his commission.

34 *Section 5.* The commission shall have the power
35 to prescribe rules and regulations and conditions for
36 the operation of betting offices and for the establish-
37 ment of the odds payable on wagers made through
38 such offices. A violation of any such rule or regula-
39 tion shall be punished by a fine of not more than one
40 thousand dollars or imprisonment for not more than
41 one year or both.

1 SECTION 2. Section thirteen of chapter one hun-
2 dred and twenty-eight A, as most recently amended

3 by section seven of chapter four hundred and fifty-
4 four of the acts of nineteen hundred and thirty-five,
5 is hereby further amended by inserting after the word
6 "chapter" in the seventh line the words:— or by
7 chapter one hundred and twenty-eight B, — so as to
8 read as follows:— *Section 13.* Any person making a
9 handbook, at any race track within the common-
10 wealth, or holding or conducting a gambling pool or
11 managing any other type of wagering or betting on
12 the results of any horse or dog race, or aiding or
13 abetting any of the foregoing types of wagering or
14 betting, except as permitted by this chapter or by
15 chapter one hundred and twenty-eight B, shall for a
16 first offence be punished by a fine of not more than
17 two thousand dollars and imprisonment for not more
18 than one year, and for a subsequent offence by a fine
19 of not more than ten thousand dollars and imprison-
20 ment for not more than two years. Any jockey,
21 trainer or owner of horses participating in horse or
22 dog racing, if found guilty by the commission of
23 unfair riding or crooked tactics, may be barred or sus-
24 pended from further participation in racing through-
25 out the commonwealth.

