
By Mr. Tynan of Boston, petition of John T. Tynan for legislation to authorize the licensing of a game commonly called "Beano". Legal Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Three.

AN ACT AUTHORIZING THE LICENSING OF A GAME COMMONLY CALLED
BEANO.

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 271 of the General Laws is hereby amended by in-
2 serting after section 22A the following section: —

3 *Section 22B.* Nothing in this chapter shall authorize the
4 prosecution, arrest or conviction of any person for promoting
5 or playing, or for allowing to be conducted, promoted or played,
6 the game commonly called beano, or substantially the same
7 game under another name in connection with which prizes are
8 offered to be won by chance; provided, the said game of beano
9 is conducted under a license so to do by a fraternal organization
10 having chapters or branches in at least two other New England
11 States, or a religious organization under the control or affiliated
12 with an established church of the commonwealth, or a veterans
13 organization chartered by the Congress of the United States or
14 included in clause (12) of section five of chapter forty. All such
15 organizations must have been in existence in all phases of eligi-
16 bility requisite at least five years prior to the passage of this act.

17 Any fraternal, religious, or veterans organization as set forth
18 in the preceding paragraph of this section, desiring to operate or
19 conduct the game of beano within the commonwealth shall make
20 application for license to conduct said game to the commissioner
21 of public safety subject to prior approval of said application by
22 the mayor of the city, or the selectmen of the town wherein said
23 game is to be operated.

24 The fee for the license to operate, hold, or conduct beano shall
25 be fixed by the commissioner of public safety and said fees shall

26 be equally apportioned between the department of public safety
27 and the city or town wherein said license is effective.

28 Licenses may be revoked at the discretion of the commissioner
29 of public safety or by a written request to the commissioner from
30 the mayor of the city or the board of selectmen in a town. The
31 licensee has no right of a hearing or right of appeal and revoca-
32 tion by the commissioner of public safety is final.

33 No permit or license shall be granted to operate, hold, or con-
34 duct beano on Sunday.

35 The license granted shall limit the hours of the game to seven
36 postmeridian and twelve midnight.

37 Any such organization as described in this section shall be
38 limited to conducting said game of beano to one night in each
39 calendar week and said night must be specified in the license.

40 A license so granted shall not authorize the giving of any one
41 prize to exceed fifty dollars in value, either cash or merchandise.

42 No alcoholic beverages shall be sold, dispensed or consumed
43 on the premises of the licensee during the hours the game is con-
44 ducted.

45 The fraternal, religious or veterans organization, as described
46 in this section, holding a license to conduct beano, must operate,
47 manage and control the game by its own members; the opera-
48 tion of beano by any other person, persons, firms, or corporations,
49 under the name or guise of such fraternal, religious, or veterans
50 organization is illegal and said organization and operators be sub-
51 ject to a fine of one thousand dollars and imprisonment for one
52 year.

53 Any organization, licensed to conduct beano, which fails to
54 exercise exclusive control and management of such game, or
55 which organization fails to have one of its members in good
56 standing in full control and management of the games at all
57 times during its operation shall be punished by a fine of not more
58 than one thousand dollars.

59 The profits of beano, so conducted under this section, shall be
60 the property of the organization conducting said game, and the
61 profit derived from said game shall be used for charitable, re-
62 ligious or educational purposes and shall not be distributed to
63 the members of the organization.

64 Accurate records and books shall be kept at all times and
65 maintained by each licensee showing the total amount of all
66 monies deposited by those playing, attending, or participating

67 in said games and expenses thereof. The commissioner of public
68 safety, the approving authority of the city or town wherein said
69 game is conducted, or their duly authorized agents or represen-
70 tatives, shall at all times have access to said records and books of
71 any licensee for the purpose of examining and checking the same.

72 A seven per cent tax shall be levied on the gross receipts of
73 the game. This tax is payable monthly to the treasurer of the
74 commonwealth and shall be deposited in the General Fund of
75 the commonwealth. After deducting from the total thereof, the
76 cost of administration and collection of such tax, the remainder,
77 or balance of such tax money shall be returned to the city or
78 town in proportion to which the amounts collected in each such
79 city or town bears to the total amount collected.

80 The commissioner of public safety may make such other rules
81 and regulations for the conduct of the game of beano as he deems
82 necessary and as are not set forth in this section.

