

By Mr. Ruane of Salem, petition of J. Michael Ruane and another for legislation to regulate the promotion, operating or conducting of raffles and bazaars. Government Regulations.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT FURTHER REGULATING RAFFLES.

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 7A of chapter 271 of the General Laws, as appearing
2 in the 1990 Official Edition, is hereby amended by striking out
3 the fourth paragraph and inserting in place thereof the following
4 paragraph: —

5 No raffle or bazaar shall be promoted, operated or conducted
6 by any person or organization, unless the same is sponsored and
7 conducted exclusively by (a) a veterans' organization chartered by
8 the Congress of the United States or included in clause (12) of
9 section five of chapter forty of the General Laws; (b) a church
10 or religious organization; (c) a fraternal or fraternal benefit
11 society; (d) an educational or charitable organization; (e) a civic
12 or service club or organization; and (f) clubs or organizations
13 organized and operated exclusively for pleasure, recreation and
14 other nonprofit purposes, no part of the net earnings of which
15 inures to the benefit of any member or shareholder. Such
16 organization shall have been organized and actively functioning
17 as a nonprofit organization in the commonwealth for a period of
18 not less than two years before it may apply for a permit. No raffle
19 shall be promoted, operated or conducted by any person or
20 organization, unless the sale is sponsored and conducted
21 exclusively by a political committee as defined in section one of
22 chapter fifty-five. The promotion and operation of the raffle or
23 bazaar shall be confined solely to the qualified members of the
24 sponsoring organization or, in the case of a political committee

25 authorized persons and no such member or persons shall receive
26 remuneration in any form for time or effort devoted to the
27 promotion or operation of such raffle or bazaar. All funds derived
28 from any raffle or bazaar shall be used exclusively for the purposes
29 stated in the application of the sponsoring organization which
30 purposes shall be limited to educational, charitable, religious,
31 fraternal or civic purposes or for veterans' benefits or in the case
32 of a political committee, any purpose which is lawful for such
33 committee. An organization which meets the qualifications
34 required by this section and which desires to conduct or operate
35 a raffle or bazaar within the commonwealth shall apply for a
36 permit to conduct raffles or bazaars from the clerk of the city or
37 town in which the raffle will be drawn or the bazaar held. The
38 application form shall be approved by the commissioner of public
39 safety and shall include the name and address of the applicant,
40 the evidence on which the applicant relies in order to qualify under
41 this section, the names of three officers or members of the
42 organization who shall be responsible for the operation of the
43 raffle or bazaar, and the uses to which the net proceeds will be
44 applied. Unless otherwise established in a town by town meeting
45 action and in a city by city council action, and in a town with
46 no town meeting by town council action, by adoption of
47 appropriate by-laws and ordinances to set such fees, a fee of ten
48 dollars shall accompany each such application and shall be
49 retained by the city or town, but in no event shall any such fee
50 be greater than fifty dollars. Upon receipt of such application, the
51 clerk shall determine whether it is in conformity with this section.
52 If the clerk so determines, he shall forward the application to the
53 chief of police of the city or town, who shall determine whether
54 the applicant is qualified to operate raffles and bazaars under this
55 section. If the chief of police so determines he shall endorse the
56 application and return it to the clerk, who shall forthwith issue
57 a permit, which shall be valid for one year from the date of its
58 issuance. The clerk shall retain a copy of the application and shall
59 send a copy to the commissioner of public safety. If there is any
60 change in the facts set forth in the application for a permit
61 subsequent to the making of such application, the applicant shall
62 forthwith notify the authority granting such permit of such

63 change, and such authority shall issue such permit if the applicant
64 is qualified, or, if a permit has already been issued and the change
65 in the facts set forth in the application disqualify the applicant
66 revoke such permit.

