

By Mr. Frye of Boston, petition of Maurice E. Frye, Jr., for legislation to define dormitories and providing for the regulation of such dormitories. Education.

The Commonwealth of Massachusetts

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

AN ACT DEFINING DORMITORIES, AND ESTABLISHING DORMITORY LICENSES, AND CREATING REGULATIONS FOR DORMITORY LIVING.

*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. Section 22 of chapter 140 of the General Laws,  
2 is hereby amended by adding at the end thereof the follow-  
3 ing:— If the register required by section twenty-seven of this  
4 chapter shows that more than half of the lodgers are registered  
5 as students, the building shall be regarded as a dormitory.

1 SECTION 2. Section 27 of chapter 140 of the General Laws  
2 as most recently amended by chapter 592 of the acts of 1964 is  
3 hereby further amended by adding, after the word “thereof”  
4 in line 13 the following:— any person who is principally  
5 a student shall enter after his name and residence the word  
6 “student”.

1 SECTION 3. Chapter 140 of the General Laws is hereby  
2 amended by adding after section 32 the following new sec-  
3 tions:—

4 DORMITORIES.

5 Section 32A. “Dormitory” as used in sections thirty-two A  
6 to thirty-two K inclusive, shall mean a house where lodgings  
7 are let to five or more persons not within the second degree of  
8 kindred to the licensee, and more than half of whom are  
9 students.

10 *Section 32B.* Licensing authorities may grant licenses for  
11 dormitories which shall be for the period provided in section  
12 four and shall charge for each license such fee, not exceeding  
13 thirty dollars if there is adult supervision on the premises, and  
14 not exceeding three hundred dollars if there is no adult super-  
15 vision on the premises, as the city council or selectmen may  
16 establish, otherwise the same shall be granted without charge.  
17 Said authorities shall enforce sections thirty-two C to thirty-  
18 two K, inclusive, and shall prosecute all violations thereof.

19 *Section 32C.* Whoever conducts a dormitory without a li-  
20 cense shall be punished by a fine of not less than five hundred  
21 nor more than two thousand dollars or by imprisonment for  
22 not more than three months, or both.

23 *Section 32D.* Premises occupied, used or controlled by a li-  
24 censee under sections thirty-two A to thirty-two J, inclusive,  
25 shall be subject to inspection by the licensing authorities and  
26 their authorized agents, by the police, and by the school au-  
27 thorities responsible for the conduct of any student resident  
28 therein.

29 *Section 32E.* Whoever, having a license to conduct a dormi-  
30 tory under sections thirty-two A to thirty-two J, inclusive, or  
31 being in actual charge, management or control of the premises  
32 for which the license is issued, knowingly permits the premises  
33 under his control to be used for the purpose of immoral solici-  
34 tation, immoral bargaining, immoral conduct, use or traffic in  
35 narcotics, or use of alcoholic beverages by minors, shall be  
36 punished by a fine of not less than five hundred nor more than  
37 one thousand dollars or by imprisonment for not less than  
38 three months nor more than one year, or both. Evidence that  
39 a room in a dormitory was not actually used for immoral con-  
40 duct shall not prevent a conviction under this section of a  
41 person in actual charge, control or management of the prem-  
42 ises who permits the occupation of such room knowing or hav-  
43 ing good reason to know that the parties occupying such room  
44 intended to use it for immoral solicitation, immoral bargain-  
45 ing or immoral conduct.

46 *Section 32F.* Every dormitory licensee required to do so un-  
47 der section thirty-two G, shall keep or cause to be kept, in per-  
48 manent form, a register in which shall be recorded the true  
49 name or name in ordinary use and the legal residence of every



50 person lodging therein ; together with a true and accurate rec-  
51 ord of the room assigned to such person and the day and hour  
52 when such room is assigned. Until the entry of such name and  
53 the record of the room has been made, such person shall not be  
54 allowed to occupy any room within the licensed premises.  
55 Such register shall be retained by the licensee for a period of  
56 at least one year after the date of the last entry therein, and  
57 shall be open to the inspection of the licensing authorities,  
58 their agents and the police. Whoever violates any provision of  
59 this section shall be punished by a fine of not less than one  
60 hundred nor more than five hundred dollars or by imprison-  
61 ment for not more than three months, or both.

62 *Section 32G.* Every dormitory licensee shall within twenty-  
63 four hours after he is ordered to do so by the licensing authori-  
64 ties keep a register.

65 *Section 32H.* No person shall write or cause to be written, or  
66 if in charge of a register knowingly permit to be written, in  
67 any register in any dormitory any other or different name or  
68 designation than the true name or name in ordinary use of the  
69 person registering or causing himself to be registered therein.  
70 No person occupying a dormitory shall fail to register or fail  
71 to cause himself to be registered. Whoever violates any provi-  
72 sion of this section shall be punished by a fine of not less than  
73 ten nor more than twenty-five dollars.

74 *Section 32I.* A license issued under sections thirty-two A to  
75 thirty-two K shall be revoked if at any time the licensing au-  
76 thorities are satisfied that the licensee is unfit to hold the  
77 license. They may suspend and make inoperative, for such  
78 period of time as they may deem proper, the licenses mentioned  
79 herein for any cause deemed satisfactory to them. No licensee  
80 shall be deemed fit to hold a dormitory license if it is found  
81 upon reasonable investigation that any resident student has  
82 less than                    square feet of living space. School authori-  
83 ties responsible for the conduct of any student may request the  
84 licensing authorities to investigate conditions in any licensed  
85 dormitory, may request revocation and suspension of dormi-  
86 tory licenses and may evict students for whom they are respon-  
87 sible. Revocation and suspension shall not be effectuated  
88 until after investigation and a hearing, or after giving the  
89 licensee an opportunity to be heard. Notice of the hearing

