

By Mr. Galvin of Boston, petition of William F. Galvin for legislation to further regulate the use of certain gambling devices. Government Regulations.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Five.

AN ACT FURTHER REGULATING THE USE OF GAMBLING DEVICES.

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. Chapter 271 of the Massachusetts General Laws
2 is hereby amended by striking out Section 5A and inserting in place
3 thereof the following new section: —

4 *Section 5A.* Whoever manufactures, transports, sells, offers for
5 sale, stores, displays, repairs, reconditions, possesses or uses any
6 gambling device or parts for use therein shall be punished by a fine
7 of not more than five hundred dollars.

8 As used in this section the term "gambling device" shall mean
9 any so-called "slot machine" or any other machine or mechanical
10 device an essential part of which is a drum or reel with insignia
11 thereon, and which when operated may deliver, as the result of the
12 application of an element of chance, any money or property, or by
13 the operation of which a person may become entitled to receive, as
14 the result of the application of an element of chance, any money or
15 property, or by the operation of which a person may become
16 entitled to receive, as the result of the application of an element of
17 chance, any money or property; or any other machine or device,
18 mechanical or electronic, or mechanical and electronic which is
19 designed and manufactured to accept a coin or token and instantly
20 pay off money or property to a winner as the result of the applica-
21 tion of an element of chance; or any sub-assembly or essential part
22 intended to be used in connection with any such machine or
23 mechanical device. Any gambling device or parts for use therein
24 manufactured, transported, sold, offered for sale, stored, dis-

25 played, repaired, reconditioned, possessed or used in violation of
26 this section shall be seized and be forfeited to the Commonwealth
27 and disposed of in the manner provided under the provisions of
28 Chapter two hundred and seventy-six. In respect to their constitu-
29 tionality, the provisions of this section are hereby declared to be
30 severable.

1 SECTION 2. Section 24 of Chapter 10 is hereby amended by
2 adding after the word "conducted" in line 2 the following new
3 clause: — provided, however, that nothing in this section shall
4 authorize the commission to purchase, manufacture, transport,
5 sell, offer for sale, store, display, repair, recondition, promote, or
6 possess any gambling device as defined in section 5A of Chapter
7 271 of the Massachusetts General Laws for use in any city or town
8 in the Commonwealth without prior approval by the licensing
9 board of said city or town.

10 Said Chapter 10 is hereby further amended in Section 35 of
11 subsection (c) by adding at the end thereof the following clause: — ;
12 provided, however, that no revenue collected by the Commission
13 from the use of gambling devices, as defined in Section 5A of
14 Chapter 271 of the Massachusetts General Laws, shall be distrib-
15 uted to any city or town in the Commonwealth which has not
16 approved the use of such devices in accordance with the provisions
17 of Section 24 of Chapter 10 of the Massachusetts General Laws.