

By Mr. Walsh of Boston, petition of Joseph B. Walsh 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-Six.

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 SECTION 1. Chapter 271 of the General Laws is hereby
2 amended by striking out section 6B, inserted by chapter 243 of
3 the acts of 1953, and inserting in place thereof the following
4 section: —

5 *Section 6B.* Whoever, except as provided in section twenty-
6 two B, sets up or promotes the game commonly known as skilo
7 or any similar game regardless of name, shall be held to have
8 set up and promoted a lottery and shall be punished as provided
9 in section seven.

1 SECTION 2. Said chapter 271 is hereby further amended by
2 inserting after section 22A the following section: —

3 *Section 22B.* Nothing in this chapter shall authorize the pros-
4 ecution, arrest or conviction of any person for promoting or
5 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 one other New England
11 state, 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. No such
15 license shall be issued to an organization unless such organiza-
16 tion was in existance five years prior to enactment of this law.

17 Any such fraternal, religious or veterans organization desiring
18 to operate or conduct the game of beano within the common-
19 wealth may make application to the commissioner of public
20 safety for a license to conduct said game if such application is
21 first approved by the mayor and council of the city, or the
22 selectmen of the town wherein said game is to be operated.

23 The fee for the license to operate, hold or conduct such game
24 shall be fixed by the commissioner of public safety and shall not
25 exceed the sum of twenty-five dollars, and shall be equally ap-
26 portioned between the department and the city or town wherein
27 said license is granted.

28 Such license may be revoked at the discretion of said commis-
29 sioner and shall be revoked upon written request to said com-
30 missioner from the mayor of the city or the board of selectmen
31 in a town. No licensee shall have the right to a hearing or right
32 of appeal, and revocation by said commissioner shall be final.

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

35 Any license so granted shall limit the playing of said game
36 to the hours between seven o'clock postmeridian and twelve
37 o'clock midnight.

38 Any such organization shall be limited to conducting said
39 game to one night in each calendar week and said night shall be
40 specified in the license.

41 A license so granted shall not permit the giving of any one
42 prize exceeding fifty dollars in value, either cash or merchandise.

43 No alcoholic beverages shall be sold, dispensed or consumed
44 on the premises of the licensee during the hours such game is
45 being conducted.

46 No minor shall be permitted on any premises while such game
47 is being conducted.

48 No such game shall be advertised or publicized beyond the
49 city or town limits covered by each license.

50 A fraternal, religious or veterans organization holding a license
51 to conduct such game shall operate, manage and control such
52 game by its own members. Whoever not being a member

53 thereof operates such a game under a license issued to such
54 organization shall be punished by a fine of one thousand dollars
55 and imprisonment for one year.

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

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

67 Accurate records and books shall be kept at all times and
68 maintained by each licensee showing the total amount of all
69 monies deposited by those playing, attending or participating in
70 said games and the expenses incurred. The commissioner, the
71 approving authority of the city or town wherein said game is
72 conducted, or their duly authorized agents or representatives,
73 shall at all times have access to said records and books of any
74 licensee for the purpose of examining and checking the same.

75 Each licensee hereunder shall pay to the treasurer of the
76 commonwealth on the last day of each month a sum equal to
77 seven per cent of the gross receipts received during the preceding
78 month from the conduct of such game. Monies paid to said
79 treasurer by a licensee shall, after deducting the expenses of
80 administration, collection and distribution, be paid to the city
81 or town in which such licensee operated the game in proportion
82 to which the amounts collected in each such city or town bears
83 to the total amount collected.

84 The commissioner may make such other rules and regulations
85 for the conduct of said game as he may deem necessary.

