APPLICATION FOR PERMIT TO CONDUCT RAFFLES AND BAZAARS
(C. 810, ACTS OF 1969)

Name and address of Nonprofit Organization:

Evidence of Qualification for Permit:

☐ (a) Veterans' organization chartered by the Congress of the United States or included in clause (12) of section five of chapter forty of the General Laws; or,

☐ (b) Church or religious organization; or,

☐ (c) Fraternal or fraternal benefit society; or,

☐ (d) Educational or charitable organization; or,

☐ (e) Civic or service club or organization; or,

☐ (f) Club or organization organized and operated exclusively for pleasure, recreation and other nonprofit purposes, no part of the net earnings of which inures to the benefit of any member or shareholder.

Officer or members of organization responsible for operation of raffle or bazaar:

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<th>Name</th>
<th>Residence Address</th>
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Uses to which net proceeds will be applied:

Application certified to be in conformity with C. 810, Acts of 1969:

__________________________
City/Town Clerk

PERMIT (ISSUED) (DENIED)

__________________________
City/Town Clerk

The applicant (is) (is not) qualified to operate raffles and bazaars under the provisions of C. 810, Acts of 1969:

__________________________
Chief of Police
AN ACT AUTHORIZING CERTAIN ORGANIZATIONS TO CONDUCT RAFFLES AND BAZAARS

WHEREAS, The deferred operation of this act would tend to defeat its purpose, which is, in part, to authorize forthwith the certain organizations may conduct raffles and bazaars and provide a further source of tax revenue to the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 271 of the General Laws is amended by inserting after section 7 the following sections:

Section 7A. In this section the following words shall have the following meanings:

"Raffle", an arrangement for raising money by the sale of tickets, certain among which, as determined by chance after the sale, entitle the holders to prizes.

"Bazaar", a place maintained by the sponsoring organization for disposal of merchandise awards by means of chance.

Notwithstanding any other provisions of law, raffles and bazaars may be promoted, operated and conducted under permits issued in accordance with the provisions of this section.

No organization, society, church or club which conducts a raffle or bazaar under the provisions of this section shall be deemed to have set up and conducted a lottery and nothing in this chapter shall authorize the prosecution, arrest or conviction of any person connected with the operation of any such raffle or bazaar; provided, however, that nothing contained in this section shall be construed as permitting the game commonly known as "beano" or any similar game regardless of name.

No raffle or bazaar shall be promoted, operated or conducted by any person or organization, unless the same is sponsored and conducted exclusively by (a) a veterans' organization, (b) a church or religious organization, (c) a fraternal or fraternal benefit society, (d) an educational or charitable organization, (e) a civic or service club or organization, and (f) clubs or organizations organized and operated exclusively for pleasure, recreation and other nonprofit purposes; provided that no part of the net earnings of which inures to the benefit of any member or shareholder, or to the benefit of the organization shall inure to the benefit of the sponsoring organization which purposes shall be limited to educational, charitable, religious, fraternal or civic purposes or for veterans' benefit.

An organization which meets the qualifications required by this section and which desires to conduct or operate a raffle or bazaar within the commonwealth shall apply for a permit to conduct raffles and bazaars from the clerk of the city or town in which the raffle will be drawn or the bazaar held. The application shall be approved by the commissioner of public safety and shall include the name and address of the applicant, the evidence on which the applicant relies in order to qualify under this section, the names of the officers or members of the organization who shall be responsible for the conduct of the raffle or bazaar, and the uses to which the net proceeds will be applied. A fee of ten dollars shall accompany each such application and shall be retained by the clerk.

The application shall be approved by the commissioner of public safety and shall include the name and address of the applicant, the evidence on which the applicant relies in order to qualify under this section, the names of the officers or members of the organization who shall be responsible for the conduct of the raffle or bazaar, and the uses to which the net proceeds will be applied. A fee of ten dollars shall accompany each such application and shall be retained by the clerk. The application shall be approved by the commissioner of public safety and shall include the name and address of the applicant, the evidence on which the applicant relies in order to qualify under this section, the names of the officers or members of the organization who shall be responsible for the conduct of the raffle or bazaar, and the uses to which the net proceeds will be applied. A fee of ten dollars shall accompany each such application and shall be retained by the clerk.

If an application is not acted upon within thirty days after it is submitted, or if the organization is refused a permit, or if a permit is revoked, any person named on the application may obtain judicial review of such refusal or revocation by filing within ten days of such refusal or revocation or within ten days of the expiration of such thirty day period a petition for review in the district court having jurisdiction in the city or town in which such application was filed. A justice of the district court, or the justice designated by the judge of the district court, may direct that such permit be issued, if he is satisfied that there was no reasonable ground for refusing such permit, and that the applicant was not prohibited by law from holding a raffle or bazaar.

An organization issued a permit under this section shall within thirty days of the expiration of the permit submit a report on a form to be approved by the commissioner of public safety. Such form shall require information concerning the number of raffles and bazaars held, the amount of money received, the expenses connected with the raffle or bazaar, the net proceeds of the raffles and bazaars, and the uses to which the net proceeds were applied. The organization shall maintain and keep such books and records as may be necessary to substantiate the particulars of such report, which books and records shall be preserved for at least one year from the date of such report and shall be available for inspection. Such report shall be certified to by the three persons designated in the permit application as being responsible for such raffle or bazaar and by an accountant. Two copies of said report shall be filed with the city or town clerk. The clerk shall send one copy to the commissioner of public safety. Failure to file said report shall constitute sufficient grounds for refusal to renew a permit to conduct raffles or bazaars.

The authority granting any permit under this section shall immediately revoke the same for a violation of any provision of this section and shall not issue any permit to such person during the next three years from the date of such violation. Any person aggrieved by the action of such authority revoking such permit may appeal to the district court having jurisdiction in the city or town where the permit was issued; provided that such appeal shall be filed in such court within twenty days following receipt of notification by said authority. The court shall hear all pertinent evidence and determine the facts and upon the facts so determined annul such act or make such decision as equity may require. The foregoing remedy shall be exclusive.

Any organization conducting or operating a raffle or bazaar under this section shall file a return with the commissioner of corporations and taxation, on a form prepared by him, and approved by the state tax commission within ten days after the raffle or bazaar is held and shall pay therewith a tax of five per cent of the gross proceeds derived from such raffle or bazaar.

The provisions of chapter sixty-two relative to the assessment, collection, payment, abatement, verification and administration of taxes, including penalties, shall, so far as applicable, apply to the tax imposed by this section. All sums received by said commissioner from the tax imposed by this section as taxes, interest thereon, fees, penalties; forfeitures, costs of action or fines, less all amounts refunded thereon, together with any interest or costs paid on account of such refunds, shall be paid into the treasury of the commonwealth.

Whoever violates any provision of this section or submits false information on an application or report required under this section shall be punished by a fine of a lottery not more than one thousand dollars or by imprisonment in the house of correction for not more than one year, or both.

No person who prints or produces tickets, cards or any similar article used in the conduct of a bazaar or raffle pursuant to a permit issued under the provisions of this act and any ride shall be subject to any penalty therefore, provided that a certified copy of such permit was presented to him prior to his undertaking to print or produce such tickets or cards.

(Effective Aug. 26, 1969)