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.

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

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<tr>
<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 or town)

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

________________________________________________________________________

Chief of Police

FORM 5810  A. W. SULKIN, INC.
CHAPTER 810, ACTS OF 1899

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 that 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 section:

Section 7 A. 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 awarded 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 promoted a lottery and nothing in this chapter shall authorize the prosecution, arrest or conviction of any person convicted 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 "beige", other than such permit as may be granted.

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 chartered by Congress of the United States or included in clause (12) of section five of chapter forty of the General Laws; (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 purposes, to the extent of not less than two years before the date of issue, of which the promoters shall be the duly elected and qualified members of the sponsoring organization and no such member shall receive remuneration in any form for time or effort devoted to the promotion or operation of such raffle or bazaar.

All moneys derived from any raffle or bazaar shall be used exclusively for the purposes stated in the application of the sponsoring organization which purposes shall be limited to educational, charitable, religious, fraternal or civic purposes or for veterans' benefits.

Any 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 form 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 three officials or members of the organization who shall be responsible for the operation 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 city or town. Upon receipt of such application, the clerk shall determine whether it is in conformity with this section. If the clerk so determines, he shall forward the application to the chief of police of the city or town, who shall determine whether the applicant is qualified to operate raffles and bazaars under this section. If the chief of police so determines, he shall endorse the application and return it to the clerk, who shall forthwith issue a permit, which shall be valid for one year from the date of its issuance. Upon endorsement and return of a copy of the application and shall send a copy to the commissioner of public safety. If there is any change in the facts set forth in the application for a permit subsequent to the making of such application, the applicant shall forthwith notify the authority granting such permit of such change, and such authority shall issue such permit if the applicant is qualified, or, if a permit has already been issued and the change in the facts set forth in the application disqualifies the applicant, revoke such permit.

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 said court, after a hearing, may order such permit to be issued if he is satisfied that there is no reasonable ground for refusing such permit, and that the applicant was not prohibited by law from holding raffles or bazaars.

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 incurred with the revenue of the raffle or bazaar, the number of prizes of the prizes 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 to the permit application as being responsible for such raffle or bazaar and by an accountant, and a copy 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 fee for renewal of such permit shall be ten dollars.

The authority granting any permit under this section shall immediately revoke the same for a violation of any provision of this act and shall forthwith notify any person so revoked. Any person aggrieved by the action of such authorizing such revocation 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 such authority. The court shall hear all pertinent evidence and determine the facts and upon the facts so determined annul such action 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, as 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 suit or fines, shall be paid over to the state tax commission.

Whoever violates any provision of this section shall be guilty of a violation of such section and shall be punished by a fine of not more than six thousand dollars or by imprisonment in the house of correction for not more than one year, or both,

No person who prints or distributes tickets, cards or any similar article used in the conduct of a raffle or bazaar pursuant to a permit issued under the provisions of this section shall be subject to any penalty therefor, 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, 1899)