



TOWN OF FREETOWN MASSACHUSETTS

Office of the Town Clerk

Cheryl C.A. Estrella, CMC
Town Clerk

Timothy J. McIntosh
Assistant Town Clerk

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Raffle and Bazaar Permit Instructions

Attached please find the forms necessary to apply for a Permit to Conduct Raffles and/or Bazaars in the Town of Freetown.

Once your paperwork has been submitted, it will take approximately 1 to 2 weeks to process. Please plan accordingly.

Once issued, your permit will be good for one year from the date of issue.

Step 1: Before completing your application for a permit to hold a raffle or bazaar, please take a few minutes to read the "Massachusetts Attorney General's Advisory on Raffle/Bazaar/Poker Tournament Rules and Regulations" at:
<http://www.gambling-law-us.com/Charitable-Gaming/Massachusetts/>

You may wish to print a copy to retain these for your records.

Step 2: Complete one (1) copy of the *Application for Permit to Conduct Raffles and Bazaars*, please be sure to have original signatures on copy.

Step 3: Contact the Town Clerk's Office to obtain the State's **green slip** entitled **Notice of Issuance of Raffle and/or Bazaar License City or Town** (this form is not available online). Complete the appropriate sections of the **green slip and sign the back**. If picking up this packet, the green slip is already included.

Step 4: Please complete the attached **Annual Report** and submit **two (2) copies** to the office of the Town Clerk. *The Annual Report is for last year's reporting -- not this year's. Failure to submit this report is sufficient grounds to deny future permits.*

Step 5: Send or deliver the copies of the application, the green slip, the annual report, proof of your organization's non-profit status, and a check payable to **Town of Freetown** in the amount of **\$10.00** to the Office of the Town Clerk at the address above.

If you have any questions, please feel free to call me at the number listed above.

Thank you,

Cheryl C.A. Estrella, CMC
Town Clerk of Freetown

Part IV

CRIMES, PUNISHMENTS AND PROCEEDINGS IN CRIMINAL CASES

Title I

CRIMES AND PUNISHMENTS

Chapter 271

CRIMES AGAINST PUBLIC POLICY

Section 7A

RAFFLES AND BAZAARS; CONDUCT BY CERTAIN ORGANIZATIONS

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 by means of chance of one or both of the following types of prizes: (1) merchandise, of any value, (2) cash awards, not to exceed \$250 each.

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 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.

[Sixth paragraph effective until July 18, 2021. For text effective July 18, 2021, see below.]

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 the 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 nonprofit purposes, no part of the net earnings of which inures to the benefit of any member or shareholder. Such organization shall have been organized and actively functioning as a nonprofit organization in the commonwealth for a period of not less than two years before it may apply for a permit. The promotion and operation of the raffle or bazaar shall be confined solely to the 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 funds 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. 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 form shall be approved by the commissioner of the division of professional licensure 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 officers 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. Unless otherwise established in a town by town meeting action and in a city by city council action, and in a town with no town meeting by town council action, by adoption of appropriate by-laws and ordinances to set such fees, a fee of ten dollars shall accompany each such application and shall be retained by the city or town, but in no event shall any such fee be greater than fifty dollars. 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. The clerk shall retain a copy of the application and shall send a copy to the commissioner of the division of professional licensure. 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 disqualify the applicant revoke such permit.

[Sixth paragraph as amended by 2021, 39, Sec. 124 effective July 18, 2021. See 2021, 39, Sec. 128. For text effective until July 18, 2021, see above.]

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 the 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 nonprofit purposes, no part of the net earnings of which inures to the benefit of any member or shareholder. Such organization shall have been organized and actively functioning as a nonprofit organization in the commonwealth for a period of not less than two years before it may apply for a

permit. The promotion and operation of the raffle or bazaar shall be confined solely to the 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 funds 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. 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 form shall be approved by the commissioner of the division of occupational licensure 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 officers 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. Unless otherwise established in a town by town meeting action and in a city by city council action, and in a town with no town meeting by town council action, by adoption of appropriate by-laws and ordinances to set such fees, a fee of ten dollars shall accompany each such application and shall be retained by the city or town, but in no event shall any such fee be greater than fifty dollars. 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. The clerk shall retain a copy of the application and shall send a copy to the commissioner of the division of occupational licensure. 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 disqualify 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 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 raffles or bazaars.

[Eighth paragraph effective until July 18, 2021. For text effective July 18, 2021, see below.]

An organization issued a permit under this section shall within thirty days of the expiration of its permit submit a report on a form to be approved by the commissioner of the division of occupational licensure. 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 names of the winners of prizes exceeding \$250 in value, 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 city or town clerk. The clerk shall send one copy to the commissioner of the division of occupational licensure. 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.

[Eighth paragraph as amended by 2021, 39, Sec. 124 effective July 18, 2021. See 2021, 39, Sec. 128. For text effective until July 18, 2021, see above.]

An organization issued a permit under this section shall within thirty days of the expiration of its permit submit a report on a form to be approved by the commissioner of the division of occupational licensure. 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 names of the winners of prizes exceeding \$250 in value, 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 city or town clerk. The clerk shall send one copy to the commissioner of the division of occupational licensure. 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 section and shall not issue any permit to such permittee within 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 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 state lottery commission, on a form prepared by it, 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.

All sums received by said commission from the tax imposed by this section as taxes, interest thereon, fees, penalties, forfeitures, costs of suits 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 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 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.

No organization issued a permit under this section shall conduct more than three bazaars in any single calendar year nor shall such organization conduct more than one bazaar in any single calendar day. The operation of a bazaar shall be limited to five consecutive hours.



Town of Freetown
3 North Main Street / P.O. Box 438
Assonet, MA 02702

Fee: \$10.00

Date of Application: _____

Date of Event: _____

APPLICATION FOR PERMIT TO CONDUCT RAFFLES & BAZAARS
(M.G.L. Ch. 271 §7A)

Name of Non-Profit Organization: _____

Physical Address: _____ AG No.: _____

Mailing Address: _____ Fed. ID No.: _____

Contact Phone Number: _____ E-Mail: _____

Evidence of Qualification for Permit (check ALL that apply):

- (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;
- (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;
- (f) clubs or organizations 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:

	<i>Name</i>	<i>Residence</i>	<i>Phone Number</i>
<i>President:</i>	_____	_____	_____
<i>Treasurer:</i>	_____	_____	_____
<i>Secretary:</i>	_____	_____	_____

Number of Games & Their Description:

Location Where Event to Be Held:

Uses to Which Net Proceeds Will be Applied:



Signature of authorized officer or member of organization

For Office Use Only

Application certified to by in conformity with
M.G.L. Ch. 271 §7A.

The applicant IS / IS NOT qualified to operate raffles &
bazaars under the provisions
M.G.L. Ch. 271 §7A.

Town Clerk Date

Police Chief Date

Permit Issued Permit Denied

Police Detail Required

Town Clerk Date



The Commonwealth of Massachusetts

Town of Freetown

ANNUAL REPORT – RAFFLES & BAZAARS

Massachusetts General Laws, Chapter 810 Acts of 1969 (Form 812)

Date: _____

Name and Address of Nonprofit Organization:

Expiration Date of Permit: _____

Number of Raffles and Bazaars Held: _____

Amount of Money Received: \$ _____

Expenses Connected with Raffles Conducted: \$ _____

Net Proceeds: \$ _____

For What Purposes Were the Proceeds Used:

Names & Addresses of Winners of \$250.00 or More:

(Attach Additional Pages as Necessary)

We, the undersigned, do hereby certify that this report is true and complete.

_____ 1. _____

_____ 2. _____

(Accountant)

_____ 3. _____

Report Certified to be
In Conformity with
C. 810, Acts of 1969:

Signature of Authorized Officer
or Member of Organization

TOWN CLERK

RENEWAL PERMIT WILL NOT BE ISSUED TO LICENSEE UNTIL THIS REPORT HAS
BEEN COMPLETED AND FILED WITH THE COMMISSIONER OF PUBLIC SAFETY.