

HOUSE No. 197

The Commonwealth of Massachusetts

PRESENTED BY:

Tackey Chan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act Establishing a Board of Casting Agent.

PETITION OF:

NAME:

Tackey Chan

DISTRICT/ADDRESS:

2nd Norfolk

DATE ADDED:

HOUSE No. 197

By Mr. Chan of Quincy, a petition (accompanied by bill, House, No. 197) of Tackey Chan for legislation to establish a board of casting agents within the Division of Professional Licensure. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act Establishing a Board of Casting Agent.

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 13 of the General Laws, as appearing in the 2012 Official Edition,
2 is hereby amended by adding at the end thereof the following new sections:-

3 Section 109. There shall be within the division of professional licensure, a professional
4 licensure board of casting agents to consist of the director of the Massachusetts film office or his
5 designee and 4 persons, which shall be residents of the Commonwealth, appointed by the
6 Governor; 2 of whom are actively engaged as a full time casting agent for not less than 10 years
7 in Massachusetts and has a physical place of business in Massachusetts not less than 10 years, 1
8 of whom has actively engaged as a full time casting agent for not less than 10 years in
9 Massachusetts, and 1 of whom is an active member of the Screen Actors Guild-American
10 Federation of Television and Radio Artists and actively engaged the acting profession for the
11 past 5 years.

12 (b) As the term of the office of a member expires, a successor shall be appointed in like
13 manner for a term of 5 years. The governor may fill a vacancy in the board for the unexpired
14 portion of the term.

15 (c) The board shall annually elect from among its members a chairman and vice-
16 chairman. The board shall meet at least 4 times annually and may hold additional meetings as
17 necessary to discharge its duties. Members shall serve without compensation but shall be
18 entitled to reasonable travel expenses. The members of the board shall be public employees for
19 the purposes of chapter 258 for all acts or omissions within the scope of their duties as board
20 members.

21 Section 110. The board shall have the following powers and duties: (i) to administer and
22 enforce sections 264 to 268, inclusive, of chapter 112; (ii) to adopt rules and regulations
23 governing the licensure of casting directors; (iii) to establish standards of professional and ethical
24 conduct; (iv) to establish a professional standard on the seeking and hiring actors; and (v) in
25 conjunction with the division of professional licensure, to investigate complaints, conduct
26 inspections, request and review business records of licensees, set licensing fees and set and
27 administer penalties as defined in sections 61 to 65E, inclusive, of said chapter 112 and sections
28 264 to 268, inclusive, of said chapter 112 for fraudulent, deceptive or professionally incompetent
29 and unsafe practices and for violations of rules and regulations promulgated by the board.

30 SECTION 2. Chapter 112 of the General Laws, as appearing in the 2012 Official Edition,
31 is hereby amended at the end thereof with the following new sections:-

32 Section 264. As used in this section and sections 264 to 251, inclusive, the following
33 words shall have the following meanings unless the context requires otherwise:

34 “Actor”, a person who acts or performs for compensation and is recorded through
35 recording device.

36 “Casting Agency”, a business that is engaged in the hiring of actors on behalf any
37 production company.

38 “Board”, the board of casting agents, established in section 101 of chapter 13.

39 “Casting Agent”, a person who is employed by a casting agency and is engaged in
40 recruiting actors on behalf of a production company for compensation.

41 “Production Company”, a business which uses a recording device for the purpose of
42 producing film, radio, television, video for itself or on behalf of another.

43 “Recording device”, any device that records sights and sounds on to a reusable medium,
44 including film, video, audio tape, electromagnetic and digital mediums.

45 Section 266. (a) No person shall engage in work as a casting agent nor shall any person
46 advertise or represent that he is a casting agent unless that person holds a valid license issued by
47 the board as provided in this chapter.

48 (b) The casting agent license shall be displayed in the casting agent’s place of business
49 and be displayed as required by the board inspector or provide a visible copy for public
50 inspection if casting at a location other than the place of business. The inspectors may enforce
51 this section by entering into an establishment where the licensees are performing their work.

52 (c) A sign, listing or advertisement of a casting agent or casting agency shall contain his
53 designation and license number.

54 Section 267. Upon payment of a fee and the submission of an application provided by the
55 board, the board may issue a temporary license to a casting agent or casting agency who has a
56 contract with a licensed casting agency to cast actors for production companies conducting work
57 in Massachusetts and comply with all state and regulations; provided further that said contract
58 must state that at least 50 percent of all actors hired are residents of Massachusetts. The board
59 may provide additional conditions on temporary licenses.

60 Section 268. The board shall conduct inspections and investigate all complaints filed
61 relating to the proper practice of casting agency or casting agent, and any violation of sections
62 264 to 267, inclusive, or any rule or regulation of the board. Such complaints may be brought by
63 any person, or the board may, on its own, initiate a complaint.