

AN ACT

relating to charitable raffles conducted by the professional sports teams charitable foundations of organizations sanctioned by certain professional associations at rodeo venues.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 2004.002, Occupations Code, is amended by amending Subdivision (2) and adding Subdivisions (5) and (6) to read as follows:

(2) "Professional sports team" means:

(A) a team organized in this state that is a member of Major League Baseball, the National Basketball Association, the National Hockey League, the National Football League, Major League Soccer, the American Hockey League, the East Coast Hockey League, the American Association of Independent Professional Baseball, the Atlantic League of Professional Baseball, Minor League Baseball, the National Basketball Association Development League, the National Women's Soccer League, the Major Arena Soccer League, the United Soccer League, or the Women's National Basketball Association;

(B) a person hosting a motorsports racing team event sanctioned by the National Association for Stock Car Auto Racing (NASCAR), INDYCar, or another nationally recognized motorsports racing association at a venue in this state with a permanent seating capacity of not less than 75,000; [~~or~~]

1 (C) an organization hosting a Professional Golf
2 Association event; or

3 (D) an organization sanctioned by the
4 Professional Rodeo Cowboys Association or the Women's Professional
5 Rodeo Association.

6 (5) "Rodeo event" means a rodeo conducted at a rodeo
7 venue.

8 (6) "Rodeo venue" means a facility owned or operated
9 by and operated as the home venue of an organization sanctioned by
10 the Professional Rodeo Cowboys Association or the Women's
11 Professional Rodeo Association at which rodeos are conducted by
12 that organization.

13 SECTION 2. Section 2004.003, Occupations Code, is amended
14 to read as follows:

15 Sec. 2004.003. QUALIFICATIONS TO CONDUCT RAFFLE. A
16 professional sports team charitable foundation is qualified to
17 conduct charitable raffles under this chapter if the foundation:

18 (1) is associated with a professional sports team with
19 a home venue or rodeo venue located in this state;

20 (2) does not distribute any of its income to its
21 members, officers, or governing body, other than as reasonable
22 compensation for services;

23 (3) has existed for at least the three years preceding
24 the conduct of a raffle under this chapter;

25 (4) does not devote a substantial part of its
26 activities to attempting to influence legislation and does not
27 participate or intervene in any political campaign on behalf of any

1 candidate for public office in any manner, including by publishing
2 or distributing statements or making campaign contributions;

3 (5) qualifies for and has obtained an exemption from
4 federal income tax from the Internal Revenue Service as a
5 charitable organization described in Section 501(c)(3), Internal
6 Revenue Code of 1986; and

7 (6) does not have or recognize any local chapter,
8 affiliate, unit, or subsidiary organization in this state.

9 SECTION 3. Section 2004.004(a), Occupations Code, is
10 amended to read as follows:

11 (a) A professional sports team charitable foundation that
12 meets the qualifications under Section 2004.003 may conduct a
13 charitable raffle during each preseason, regular season, and
14 postseason game hosted at the home venue or each rodeo event at the
15 rodeo venue of the professional sports team associated with the
16 foundation to provide revenue for the foundation's charitable
17 purposes.

18 SECTION 4. This Act takes effect on December 1, 2021, but
19 only if the constitutional amendment proposed by the 87th
20 Legislature, Regular Session, 2021, authorizing the professional
21 sports team charitable foundations of organizations sanctioned by
22 the Professional Rodeo Cowboys Association or the Women's
23 Professional Rodeo Association to conduct charitable raffles at
24 rodeo venues is approved by the voters. If that amendment is not
25 approved by the voters, this Act has no effect.

President of the Senate

Speaker of the House

I certify that H.B. No. 3012 was passed by the House on May 4, 2021, by the following vote: Yeas 129, Nays 18, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3012 was passed by the Senate on May 22, 2021, by the following vote: Yeas 26, Nays 4.

Secretary of the Senate

APPROVED: _____

Date

Governor