

By: Geren

H.B. No. 3012

Substitute the following for H.B. No. 3012:

By: Kuempel

C.S.H.B. No. 3012

A BILL TO BE ENTITLED

1 AN ACT
2 relating to charitable raffles conducted by the professional sports
3 teams charitable foundations of organizations sanctioned by the
4 Professional Rodeo Cowboys Association at rodeo venues.

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

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

9 (2) "Professional sports team" means:

10 (A) a team organized in this state that is a
11 member of Major League Baseball, the National Basketball
12 Association, the National Hockey League, the National Football
13 League, Major League Soccer, the American Hockey League, the East
14 Coast Hockey League, the American Association of Independent
15 Professional Baseball, the Atlantic League of Professional
16 Baseball, Minor League Baseball, the National Basketball
17 Association Development League, the National Women's Soccer
18 League, the Major Arena Soccer League, the United Soccer League, or
19 the Women's National Basketball Association;

20 (B) a person hosting a motorsports racing team
21 event sanctioned by the National Association for Stock Car Auto
22 Racing (NASCAR), INDYCar, or another nationally recognized
23 motorsports racing association at a venue in this state with a
24 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.

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

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

11 SECTION 2. Section 2004.003, Occupations Code, is amended
12 to read as follows:

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

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

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

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

23 (4) does not devote a substantial part of its
24 activities to attempting to influence legislation and does not
25 participate or intervene in any political campaign on behalf of any
26 candidate for public office in any manner, including by publishing
27 or distributing statements or making campaign contributions;

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

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

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

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

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