

AN ACT

relating to the sale of charitable raffle tickets by certain nonprofit wildlife conservation associations.

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

SECTION 1. Section 2002.054, Occupations Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) The organization may not:

(1) directly or indirectly, by the use of paid advertising, promote a raffle through a medium of mass communication, including television, radio, or newspaper;

(2) promote or advertise a raffle statewide, other than on the organization's Internet website or through a publication or solicitation, including a newsletter, social media, or electronic mail, provided only to previously identified supporters of the organization; or

(3) sell or offer to sell tickets for a raffle statewide, except as provided by Subsection (a-1).

(a-1) A nonprofit wildlife conservation association, including each local chapter, affiliate, wildlife cooperative, or unit, that for purposes of this chapter is a qualified nonprofit organization eligible under Section 2002.003(e), may use the organization's Internet website to sell or offer to sell tickets for a raffle to previously identified supporters of the

1 organization. This subsection does not authorize the use of an
2 Internet website to:

3 (1) provide a graphic or dynamic animation of an entry
4 to a raffle; or

5 (2) provide a graphic or dynamic animation of the
6 drawing of raffle tickets.

7 SECTION 2. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 2138 was passed by the House on April 13, 2023, by the following vote: Yeas 125, Nays 21, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2138 on May 25, 2023, by the following vote: Yeas 113, Nays 30, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2138 was passed by the Senate, with amendments, on May 23, 2023, by the following vote: Yeas 26, Nays 5.

Secretary of the Senate

APPROVED: _____

Date

Governor