

## **BILL ANALYSIS**

C.S.H.B. 2792

By: Flores

Licensing & Administrative Procedures  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, the Bingo Enabling Act only allows patrons to play a paper-based pull-tab bingo game during a bingo occasion. CSHB 2792 adds parallel provisions to the Bingo Enabling Act to allow those patrons that prefer playing an electronic form of the game to be able to play also.

CSHB 2792 amends the Bingo Enabling Act to do three things. It repeals the current limit on the number of customers that can use a card-minding device, allows players to play electronic pull-tab bingo along with paper pull-tab bingo, and clarifies that card-minding devices may be used to purchase and account for the use of bingo card faces and pull-tabs.

Finally, CSHB 2792 allows bingo hall patrons to use card-minding devices to purchase and use electronic card faces and electronic pull-tabs, as well as account for both purchases and prizes won by a patron.

### **RULEMAKING AUTHORITY**

It is the opinion of this committee that rulemaking authority is expressly delegated to the Texas Lottery Commission in SECTION 2 (Section 2001.054(b), Occupations Code) and in SECTION 5 (Section 2001.4095(b), Occupations Code) of this bill.

### **ANALYSIS**

SECTION 1. Amends Section 2001.002, Occupations Code, by adding the definitions of “Electronic Pull-Tab Bingo” and “Electronic Pull-Tab Minding Device.”

SECTION 2. Amends Section 2001.054, Occupations Code, by providing rulemaking authority to the lottery commission to administer Sections 2001.409(b) and 2001.4095.

SECTION 3. Amends Section 2001.408, Occupations Code, by authorizing play using an electronic pull-tab bingo ticket.

SECTION 4. Amends Section 2001.409, Occupations Code, to remove the 40 percent limitation on the number of card-minding devices that may be used during a bingo occasion and to allow a card-minding device to be used to track and account for electronic credits that may be used by patrons to play electronic bingo card faces and electronic pull-tab faces during a bingo occasion. The substitute also allows patrons to use card-minding devices to determine whether electronic pull-tab faces are winners.

SECTION 5. Adds a new Section 2001.4095 to the Occupations Code that provides for restrictions on the use of an electronic pull-tab minding device, as well as provisions regarding their manufacture and regulatory oversight.

SECTION 6. Adds a new Section 2001.421, Occupations Code, that prohibits a prize payout percentage for an electronic bingo pull-tab from being less than the payout percentage for a paper pull-tab.

SECTION 7. Requires that the Texas Lottery Commission adopt rules to administer the Act by October 1, 2003.

SECTION 8. This Act takes effect immediately if passed by two-thirds of all members elected to each house. If the vote of two-thirds is not received this Act takes effect on September 1, 2003.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute adds Subdivisions (9-a) and (9-b) which defines “electronic pull-tab bingo” and “electronic pull-tab minding device.” Instead of inserting new subsections (10) and (11) and renumbering the remaining subsections of the section.

The substitute also moves the rulemaking authority section from SECTION 5 in the filed bill to SECTION 2 in the substitute.

The substitute adds Section 2001.408, Occupations Code to include electronic pull-tab bingo ticket as a method of playing bingo in SECTION 3.

SECTION 4 of the substitute amends Section 2001.409, Occupations Code which defines card minding devices. This was SECTION 3 in the original version.

The substitutes adds subsections (d) and (e) to Section 2001.4095 and authorizes the commission; to audit sales records relating to the sale of electronic pull-tab bingo ticket faces; to investigate a violation of this section, and; to require a manufacturer of an electronic pull-tab minding device to maintain a central communications system to provide review and audit functions by the commission.

The substitute adds Section 2001.421 which describes prize payout percentages in SECTION 6.

The substitute also renumbers SECTIONS 6 and 7 in the original to SECTIONS 7 and 8 respectively.

The substitute is legislative council drafted while the original was not.