

By: Flores

H.B. No. 2792

Substitute the following for H.B. No. 2792:

By: Jones of Lubbock

C.S.H.B. No. 2792

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of electronic pull-tab minding devices or
3 card-minding devices during a bingo occasion.

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

5 SECTION 1. Section 2001.002, Occupations Code, is amended
6 by adding Subdivisions (9-a) and (9-b) to read as follows:

7 (9-a) "Electronic pull-tab bingo" means an electronic
8 version of pull-tab bingo in which a person purchases from a point
9 of sale station an electronic ticket face, instead of a ticket made
10 of paper or paper products, that is issued from a finite deal of
11 tickets in which some of the tickets have been designated in advance
12 as winning tickets.

13 (9-b) "Electronic pull-tab minding device" means an
14 electronic device, including a card-minding device, that displays
15 an electronic pull-tab bingo ticket face purchased by a person.

16 SECTION 2. Section 2001.054, Occupations Code, is amended
17 to read as follows:

18 Sec. 2001.054. RULEMAKING AUTHORITY. (a) The commission
19 may adopt rules to enforce and administer this chapter.

20 (b) The commission has broad authority to adopt rules to
21 administer Sections 2001.409(b) and 2001.4095.

22 SECTION 3. Section 2001.408, Occupations Code, is amended
23 to read as follows:

24 Sec. 2001.408. OTHER METHODS FOR PLAYING BINGO. Subject to

1 the commission's rules, bingo may be played using a pull-tab bingo
2 ticket or an electronic pull-tab bingo ticket.

3 SECTION 4. Section 2001.409, Occupations Code, is amended
4 to read as follows:

5 Sec. 2001.409. CARD-MINDING DEVICES. (a) A person may not
6 use a card-minding device:

7 (1) to generate [~~or determine~~] the random letters,
8 numbers, or other symbols used in playing the bingo card played with
9 the device's assistance;

10 (2) as a receptacle for the deposit of tokens or money
11 in payment for playing the bingo card played with the device's
12 assistance; or

13 (3) as a dispenser for the payment of a bingo prize,
14 including coins, paper currency, or a thing of value for the bingo
15 card played with the device's assistance.

16 (b) A person may use a card-minding device to:

17 (1) account for and track electronic credits purchased
18 at a point of sale station or won by playing bingo or electronic
19 pull-tab bingo; and

20 (2) exchange electronic credits described by
21 Subdivision (1) through an electronic communication with a point of
22 sale station for electronic bingo card faces or electronic pull-tab
23 bingo tickets that may be played by the person during a bingo
24 occasion. [~~Not more than 40 percent of the individuals attending a~~
25 bingo occasion, based on the average of two previously submitted
26 quarterly reports, may use electronic or mechanical card-minding
27 devices. This subsection does not apply to pull-tab bingo.]

1 SECTION 5. Subchapter I, Chapter 2001, Occupations Code, is
2 amended by adding Section 2001.4095 to read as follows:

3 Sec. 2001.4095. ELECTRONIC PULL-TAB MINDING DEVICES. (a)

4 A person may not use an electronic pull-tab minding device:

5 (1) to generate random letters, numbers, or other
6 symbols used in playing bingo;

7 (2) to affect the chances of winning at bingo; or

8 (3) as a dispenser for the payment of a bingo prize,
9 including coins, paper currency, or another thing of value.

10 (b) An electronic pull-tab minding device must be
11 manufactured in accordance with the specifications provided by
12 commission rule and is subject to testing by the commission.

13 (c) The commission may audit sales records relating to the
14 sale of electronic pull-tab bingo ticket faces. The commission may
15 investigate a violation or alleged violation of this section.

16 (d) The commission at any time may inspect an electronic
17 pull-tab minding device.

18 (e) The manufacturer of an electronic pull-tab minding
19 device shall maintain a central communications system or facility
20 to provide the commission with the ability to review and audit
21 electronic pull-tab bingo sales records.

22 SECTION 6. Subchapter I, Chapter 2001, Occupations Code, is
23 amended by adding Section 2001.421 to read as follows:

24 Sec. 2001.421. PRIZE PAYOUT PERCENTAGE. The prize payout
25 percentage for an electronic bingo pull-tab game may not be less
26 than the prize payout percentage established for a paper pull-tab
27 game.

1 SECTION 7. The Texas Lottery Commission shall adopt rules
2 to administer electronic pull-tab bingo and electronic pull-tab
3 minding devices under Chapter 2001, Occupations Code, as amended by
4 this Act, not later than October 1, 2003, and may adopt the initial
5 rules in the manner provided by law for emergency rules.

6 SECTION 8. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2003.