

AN ACT

relating to clarifying the time to claim a lottery prize and extending the time for certain military personnel.

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

SECTION 1. Section 466.408, Government Code, is amended by amending Subsection (d) and adding Subsections (e) through (h) to read as follows:

(d) Except as provided by Subsection (e), a [A] ticket holder forfeits any claim or entitlement to a prize for:

(1) an on-line game after the expiration of the 180th day following the draw date; and

(2) an instant game after the expiration of the 180th day following the official "end of game" as determined by the commission [after the date on which the prize winner was selected].

(e) An eligible person serving on active military duty in any branch of the United States armed forces during a war or national emergency declared in accordance with federal law may claim a lottery prize not later than the 90th day after the date on which the earliest of the following occurs:

(1) the person is discharged from active military duty;

(2) the person returns to this state for more than 10 consecutive days;

(3) the person returns to nonactive military duty

1 status in the reserve or national guard; or

2 (4) the war or national emergency ends.

3 (f) The commission may deduct money paid to an eligible
4 person under Subsection (e) from prize money that would otherwise
5 be deposited under Subsection (b).

6 (g) For purposes of this section, a person is considered to
7 be on active military duty if the person is covered by the Soldiers'
8 and Sailors' Civil Relief Act of 1940 (50 App. U.S.C. Sections
9 501-594) or the Uniformed Services Employment and Reemployment
10 Rights Act of 1994 (38 U.S.C. Sections 4301-4333), as amended.

11 (h) In this section, "eligible person" means a person
12 entitled to a lottery prize who:

13 (1) while on active military duty in this state was
14 transferred out of the state:

15 (A) as a result of a war or national emergency
16 declared in accordance with federal law; and

17 (B) before the 180th day after the date on which
18 the winner of the lottery prize was selected; or

19 (2) while serving in the reserve forces in this state
20 was placed on active military duty and transferred out of the state:

21 (A) as a result of a war or national emergency
22 declared in accordance with federal law; and

23 (B) before the expiration of the 180th day after
24 the date on which the drawing occurred for on-line games or before
25 the expiration of the 180th day following the official "end of game"
26 for instant games as determined by the commission.

27 SECTION 2. This Act takes effect immediately if it receives

1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2003.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 6 passed the Senate on
May 1, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 6 passed the House on
May 28, 2003, by the following vote: Yeas 144, Nays 0, two
present not voting.

Chief Clerk of the House

Approved:

Date

Governor