

1-1 By: Van de Putte S.B. No. 6  
1-2 (In the Senate - Filed April 14, 2003; April 15, 2003, read  
1-3 first time and referred to Committee on Veteran Affairs and  
1-4 Military Installations; April 25, 2003, reported favorably by the  
1-5 following vote: Yeas 3, Nays 0; April 25, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to extending the time to claim a lottery prize for certain  
1-9 military personnel.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 466.408, Government Code, is amended by  
1-12 amending Subsection (d) and adding Subsections (e) through (h) to  
1-13 read as follows:

1-14 (d) Except as provided by Subsection (e), a [A] ticket  
1-15 holder forfeits any claim or entitlement to a prize after the  
1-16 expiration of the 180th day after the date on which the prizewinner  
1-17 was selected.

1-18 (e) An eligible person serving on active military duty in  
1-19 any branch of the United States armed forces during a war or  
1-20 national emergency declared in accordance with federal law may  
1-21 claim a lottery prize not later than the 90th day after the date on  
1-22 which the earliest of the following occurs:

1-23 (1) the person is discharged from active military  
1-24 duty;

1-25 (2) the person returns to this state for more than 10  
1-26 consecutive days;

1-27 (3) the person returns to nonactive military duty  
1-28 status in the reserve or national guard; or

1-29 (4) the war or national emergency ends.

1-30 (f) The commission may deduct money paid to an eligible  
1-31 person under Subsection (e) from prize money that would otherwise  
1-32 be deposited under Subsection (b).

1-33 (g) For purposes of this section, a person is considered to  
1-34 be on active military duty if the person is covered by the Soldiers'  
1-35 and Sailors' Civil Relief Act of 1940 (50 App. U.S.C. Sections  
1-36 501-594) or the Uniformed Services Employment and Reemployment  
1-37 Rights Act of 1994 (38 U.S.C. Sections 4301-4333), as amended.

1-38 (h) In this section, "eligible person" means a person  
1-39 entitled to a lottery prize who:

1-40 (1) while on active military duty in this state was  
1-41 transferred out of the state:

1-42 (A) as a result of a war or national emergency  
1-43 declared in accordance with federal law; and

1-44 (B) before the 180th day after the date on which  
1-45 the winner of the lottery prize was selected; or

1-46 (2) while serving in the reserve forces in this state  
1-47 was placed on active military duty and transferred out of the state:

1-48 (A) as a result of a war or national emergency  
1-49 declared in accordance with federal law; and

1-50 (B) before the 180th day after the date on which  
1-51 the winner of the lottery prize was selected.

1-52 SECTION 2. This Act takes effect immediately if it receives  
1-53 a vote of two-thirds of all the members elected to each house, as  
1-54 provided by Section 39, Article III, Texas Constitution. If this  
1-55 Act does not receive the vote necessary for immediate effect, this  
1-56 Act takes effect September 1, 2003.

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