

Amend HB 2265 as follows:

(1) In the recital to SECTION 1 of the bill, between "by" and "adding" (House engrossment, page 1, line 6), insert "amending Subdivisions (11) and (19) and".

(2) In SECTION 1 of the bill, in proposed Subdivision (8-a), Section 2001.002, Occupations Code, between "organization" and "to" (House engrossment, page 1, line 9), insert "or tribal fraternal organization".

(3) In SECTION 1 of the bill, in proposed Subdivision (13-a), Section 2001.002, Occupations Code, between "organization" and "to" (House engrossment, page 1, line 13), insert "or tribal fraternal organization".

(4) In SECTION 1 of the bill, in amended Section 2001.002, Occupations Code (House engrossment, page 1, between lines 14 and 15), insert the following:

(11) "Fraternal organization" means any of the following other than an organization whose members are predominantly veterans or dependents of veterans of the armed services of the United States:

(A) a nonprofit organization organized to perform and engaged primarily in performing charitable, benevolent, patriotic, employment-related, or educational functions that meet the other requirements of this chapter; ~~or~~

(B) a nonprofit National Historical District Association representing the owners and lessees of a majority of the real property located in a National Historical District designated for not less than five years by the National Register of Historic Places, Heritage Conservation and Recreation Service of the United States Department of the Interior, if the association's net proceeds are used for restoration, construction, maintenance, and security in the district; or

(C) a nonprofit organization that:

(i) is organized under tribal law by a federally recognized Indian tribe that is not subject to the Indian Gaming Regulatory Act (18 U.S.C. Section 1166 et seq. and 25 U.S.C. Section 2701 et seq.) and that exercises tribal authority over a reservation, as defined by 25 U.S.C. Section 731 or 1300g; and

(ii) is organized to perform and is engaged primarily in performing charitable, benevolent, patriotic, employment-related, or educational functions. [~~The term "fraternal organization" does not include an organization whose members are predominantly veterans or dependents of veterans of the armed services of the United States.~~]

(19) "Nonprofit organization" means:

(A) an unincorporated association or a corporation that is incorporated or holds a certificate of authority under the Texas Non-Profit Corporation Act (Article 1396-1.01 et seq., Vernon's Texas Civil Statutes), that [. The organization]:

(i) does [~~(A) may~~] not distribute any of its income to its members, officers, or governing body, other than as reasonable compensation for services; and

(ii) has [~~(B) must have obtained~~] tax exempt status under Section 501(c), Internal Revenue Code of 1986; or

(B) a tribal organization formed by a federally recognized Indian tribe that exercises tribal authority over a reservation, as defined by 25 U.S.C. Section 731 or 1300g, to engage primarily in performing charitable, benevolent, patriotic, employment-related, or educational functions.

(5) In SECTION 1 of the bill, in proposed Subdivision (23-a), Section 2001.002, Occupations Code, between "organization" and "until" (House engrossment, page 1, line 17), insert "or tribal fraternal organization".

(6) In SECTION 2 of the bill, in proposed Subsection (e), Section 2001.420, Occupations Code, between "organization" and "may" (House engrossment, page 2, line 10), insert "or tribal fraternal organization".

(7) Insert the following appropriately numbered SECTION and renumber subsequent SECTIONS accordingly:

SECTION \_\_. Subchapter C, Chapter 2001, Occupations Code, is amended by adding Section 2001.1015 to read as follows:

Sec. 2001.1015. CHARITABLE BINGO BY TRIBAL FRATERNAL ORGANIZATION. (a) A nonprofit organization in existence for at

least 180 days that qualifies as a fraternal organization under Section 2001.002(11)(C) may conduct bingo on the reservation of the Indian tribe under whose tribal law the organization is organized on adoption by the tribe of rules governing the conduct of bingo by the organization that conform to the substantive provisions of this chapter and of Sections 47(b) and (c), Article III, Texas Constitution.

(b) In accordance with Sections 107(b) and 207(b), Ysleta del Sur Pueblo and Alabama-Coushatta Indian Tribes of Texas Restoration Act (25 U.S.C. Sections 1300g-6(b) and 737(b)), an organization described by Subsection (a) may conduct bingo activities in accordance with the tribe's rules adopted under Subsection (a) without submitting to the regulatory jurisdiction, including licensing requirements, of this state.

(c) A nonprofit organization may not conduct bingo under this section unless:

(1) the organization transfers to this state on a monthly basis an amount equal to five percent of the organization's adjusted gross receipts from bingo in the manner prescribed by the comptroller;

(2) all other proceeds are spent in Texas for charitable purposes;

(3) the games are limited to one location as defined by law on property owned or leased by the organization; and

(4) the games are conducted, promoted, and administered by members of the organization.

(d) A nonprofit organization may not conduct bingo under this section unless the organization reports quarterly to the comptroller the amount of revenue that the organization collects from the games and the purposes for which the revenue is spent. The commission may impose an administrative civil penalty against the organization for a violation of the quarterly reporting requirement. The amount of the administrative penalty may not exceed \$1,000 for each violation.