

BILL ANALYSIS

H.B. 1670
By: Geren
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, two different statutes govern the minimum age at which a person may purchase a lottery ticket and the minimum age at which a person may directly receive prize money.

The Texas Lottery Commission requested an attorney general's opinion about the meaning of a "minor" in section 466.405 of the Texas Government Code.

The Attorney General's Opinion (No. GA-0410) stated that for purposes of the State Lottery Act, a "minor" is an individual who has not yet attained the age of 21 years. It further states the Texas Lottery Commission must award the cash equivalent of a prize to a person who is at least 18 years of age but not yet 21 years of age in accordance with the terms of section 466.405 of the Government Code.

Based on the Attorney General Opinion, HB 1670 clarifies the definition of a "minor" in the State Lottery Act, as a person who is younger than 18 years of age. It further defines words consistent with section 141.002 of the Property Code.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

HB 1670 clarifies that the lottery director may direct payment to the minor by depositing the amount of the prize in any financial institution, instead of the current language limiting deposits to a bank.

HB 1670 defines "adult" as an individual who is at least 18 years of age and a "minor" as an individual younger than 18 years of age. "Custodian," "financial institution," "guardian," and "member of the minor's family," continue to have the meanings assigned by Section 141.002, Property Code. Makes conforming changes.

EFFECTIVE DATE

September 1, 2007.