

BILL ANALYSIS

H.B. 357
By: Quintanilla
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently the State Lottery Act prohibits the sale of lottery tickets at a location where a person holds a permit to sell alcoholic beverages for on-premises consumption. Other states' lottery jurisdictions allow the sale of tickets at such locations. It is believed that the sale of lottery products at these locations would represent an additional opportunity to generate incremental revenue for the Foundation School Fund. One of the house licensing committee's interim recommendations before the 80th Legislature, Regular Session, 2007, was to allow the sale of lottery tickets in bars and restaurants. Many of these locations are age-controlled and the removal of the prohibition allows for additional marketing of lottery products to adult Texans.

H.B. 357 removes language prohibiting the sale of lottery tickets at these locations.

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

H.B. 357 amends the Government Code to remove the requirement that the director of the lottery division of the Texas Lottery Commission deny an application for a lottery sales agent license or that the commission suspend or revoke the license of a lottery sales agent if the applicant or licensee is a person whose location for the sales agency is a location for which a person holds a wine and beer retailer's permit, mixed beverage permit, mixed beverage late hours permit, private club registration permit, or private club late hours permit.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.