

BILL ANALYSIS

H.B. 2509
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 lottery prize money. The Texas Lottery Commission requested an advisory opinion from the attorney general on September 13, 2005, regarding the meaning of the term "minor" in Section 466.405 of the Government Code, to determine whether the commission may award the cash equivalent of a prize to a person who is at least 18 years of age, rather than 21 years of age. The attorney general issued an opinion on March 13, 2006, stating that the commission must award the cash equivalent of a prize to a person who is at least 18 years of age.

H.B. 2509 clarifies the definition of "minor" in the State Lottery Act, based on the attorney general opinion, as a person who is younger than 18 years of age. It further defines words consistent with Section 141.002, 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

H.B. 2509 amends the Government Code to authorize the director of the lottery division to direct payment to a minor who is entitled to prize money on a winning ticket in an amount of \$600 or more by depositing the amount of the prize in any financial institution, rather than any bank, to the credit of an adult member of the minor's family or of the minor's guardian as custodian for the minor.

H.B. 2509 defines "custodian," "financial institution," and "member of the minor's family." The bill defines "adult" as an individual who is at least 18 years of age, and "minor" as an individual who is younger than 18 years of age.

EFFECTIVE DATE

September 1, 2009.