

By: Turner of Tarrant, Ortiz, Jr., et al.

H.B. No. 1299

A BILL TO BE ENTITLED

AN ACT

relating to the fund for veterans' assistance and the creation of a lottery game to benefit the fund.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 466, Government Code, is amended by adding Section 466.027 to read as follows:

Sec. 466.027. VETERANS' ASSISTANCE GAME. (a) The commission shall operate an instant-ticket lottery game to benefit the fund for veterans' assistance established by Section 434.017, as amended by Chapter 1418 (H.B. 3107), Acts of the 80th Legislature, Regular Session, 2007.

(b) The commission shall:

(1) determine the ticket price, payout amounts, and manner in which the game is conducted;

(2) make tickets to the game available for sale continuously to the extent practicable; and

(3) change the design or theme of the game regularly to ensure that the game remains competitive with other instant-ticket lottery games offered by the commission.

(c) The commission shall market and advertise the lottery game operated under this section in a manner intended to inform the public that the game tickets are available for purchase and that the game proceeds are used to fund veterans programs in this state. The game tickets must clearly state that the game proceeds are used to

1 benefit the veterans in this state. The Texas Veterans Commission  
2 may make recommendations to the Texas Lottery Commission relating  
3 to the marketing and advertising of the game.

4 (d) The commission shall encourage each sales agent that  
5 sells tickets to instant-ticket games or similar types of lottery  
6 games to sell tickets to the game operated under this section.

7 SECTION 2. Subchapter B, Chapter 466, Government Code, is  
8 amended by adding Section 466.027 to read as follows:

9 Sec. 466.027. VETERANS' ASSISTANCE GAME. (a) The  
10 commission shall operate an instant-ticket lottery game to benefit  
11 the fund for veterans' assistance established by Section 434.017.

12 (b) The commission shall:

13 (1) determine the ticket price, payout amounts, and  
14 manner in which the game is conducted;

15 (2) make tickets to the game available for sale  
16 continuously to the extent practicable; and

17 (3) change the design or theme of the game regularly to  
18 ensure that the game remains competitive with other instant-ticket  
19 lottery games offered by the commission.

20 (c) The commission shall market and advertise the lottery  
21 game operated under this section in a manner intended to inform the  
22 public that the game tickets are available for purchase and that the  
23 game proceeds are used to fund veterans programs in this state. The  
24 game tickets must clearly state that the game proceeds are used to  
25 benefit the veterans in this state. The Texas Veterans Commission  
26 may make recommendations to the Texas Lottery Commission relating  
27 to the marketing and advertising of the game.

1       (d) The commission shall encourage each sales agent that  
2 sells tickets to instant-ticket games or similar types of lottery  
3 games to sell tickets to the game operated under this section.

4       SECTION 3. Section 466.355(b), Government Code, is amended  
5 to read as follows:

6       (b) Money in the state lottery account may be used only for  
7 the following purposes and shall be distributed as follows:

8           (1) the payment of prizes to the holders of winning  
9 tickets;

10          (2) the payment of costs incurred in the operation and  
11 administration of the lottery, including any fees received by a  
12 lottery operator, provided that the costs incurred in a fiscal  
13 biennium may not exceed an amount equal to 12 percent of the gross  
14 revenue accruing from the sale of tickets in that biennium;

15          (3) the establishment of a pooled bond fund, lottery  
16 prize reserve fund, unclaimed prize fund, and prize payment  
17 account; and

18          (4) the balance, after creation of a reserve  
19 sufficient to pay the amounts needed or estimated to be needed under  
20 Subdivisions (1) through (3), to be transferred on or before the  
21 15th day of each month as follows:

22               (A) the portion of the balance attributable to  
23 the lottery game operated under Section 466.027 to the fund for  
24 veterans' assistance established by Section 434.017, as amended by  
25 Chapter 1418 (H.B. 3107), Acts of the 80th Legislature, Regular  
26 Session, 2007; and

27               (B) the remainder to the foundation school fund[7

1 ~~on or before the 15th day of each month]~~.

2 SECTION 4. Section 466.355(b), Government Code, is amended  
3 to read as follows:

4 (b) Money in the state lottery account may be used only for  
5 the following purposes and shall be distributed as follows:

6 (1) the payment of prizes to the holders of winning  
7 tickets;

8 (2) the payment of costs incurred in the operation and  
9 administration of the lottery, including any fees received by a  
10 lottery operator, provided that the costs incurred in a fiscal  
11 biennium may not exceed an amount equal to 12 percent of the gross  
12 revenue accruing from the sale of tickets in that biennium;

13 (3) the establishment of a pooled bond fund, lottery  
14 prize reserve fund, unclaimed prize fund, and prize payment  
15 account; and

16 (4) the balance, after creation of a reserve  
17 sufficient to pay the amounts needed or estimated to be needed under  
18 Subdivisions (1) through (3), to be transferred on or before the  
19 15th day of each month as follows:

20 (A) the portion of the balance attributable to  
21 the lottery game operated under Section 466.027 to the fund for  
22 veterans' assistance established by Section 434.017; and

23 (B) the remainder to the foundation school fund[  
24 ~~on or before the 15th day of each month]~~.

25 SECTION 5. Sections 434.017(a) and (e), Government Code, as  
26 amended by Chapter 1418 (H.B. 3107), Acts of the 80th Legislature,  
27 Regular Session, 2007, are amended to read as follows:

1 (a) The fund for veterans' assistance is a special fund in  
2 the state treasury outside the general revenue fund. The fund is  
3 composed of:

4 (1) money transferred to the fund at the direction of  
5 the legislature;

6 (2) gifts and grants contributed to the fund; ~~and~~

7 (3) the earnings of the fund; and

8 (4) money transferred to the fund from proceeds of the  
9 lottery game operated under Section 466.027.

10 (e) The commission ~~comptroller~~ may solicit, ~~and~~ accept,  
11 or refuse a gift or grant of money, services, or property for any  
12 purpose related to the fund for veterans' assistance ~~[gifts and~~  
13 ~~grants to the fund]~~. A gift or grant to the fund may be appropriated  
14 in the same manner as other money in the fund, subject to any  
15 limitation or requirement placed on the gift or grant by the donor  
16 or granting entity.

17 SECTION 6. (a) Sections 1 and 3 of this Act take effect only  
18 if the Act of the 81st Legislature, Regular Session, 2009, relating  
19 to nonsubstantive additions to and corrections in existing codes  
20 does not become law.

21 (b) Sections 2 and 4 of this Act take effect only if the Act  
22 of the 81st Legislature, Regular Session, 2009, relating to  
23 nonsubstantive additions to and corrections in existing codes  
24 becomes law.

25 SECTION 7. (a) Section 466.355, Government Code, as  
26 amended by this Act, applies only to a transfer from the state  
27 lottery account made on or after the effective date of this Act.

1           (b) The Texas Lottery Commission shall establish and begin  
2 selling tickets to the lottery game as required by Section 466.027,  
3 Government Code, as added by this Act, not later than March 2, 2010.

4           SECTION 8. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2009.