

By: Flores

H.B. No. 3808

A BILL TO BE ENTITLED

AN ACT

relating to the criminal offense for conducting, promoting, or administering bingo without a license.

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

SECTION 1. Section 2001.551(b), Occupations Code, is amended to read as follows:

(b) A person conducting, promoting, or administering bingo commits an offense if the person conducts, promotes, or administers bingo other than:

(1) under a license issued under this chapter;

(2) ~~[within the confines of a home]~~ for purposes of amusement or recreation when:

(A) no player or other person furnishes anything of ~~[more than nominal]~~ value as defined by rule ~~[for the opportunity]~~ to participate;

~~[(B) participation in the game does not exceed 15 players,]~~ and

(B) ~~[(C)]~~ the prizes awarded or to be awarded are nominal as defined by rule;

(3) on behalf of an organization of individuals 60 years of age or over, a senior citizens' association, a senior citizens' community center program operated or funded by a governmental entity, the patients in a hospital or nursing home, residents of a retirement home, or the patients in a Department of

1 Veterans Affairs [~~Veteran's Administration~~] medical center or a
2 military hospital, solely for the purpose of amusement and
3 recreation of its members, residents, or patients, when:

4 (A) no player or other person furnishes anything
5 of more than nominal value for the opportunity to participate; and

6 (B) the prizes awarded or to be awarded are
7 nominal; or

8 (4) on behalf of a business conducting the game for
9 promotional or advertising purposes if:

10 (A) the game is conducted by or through a
11 newspaper or a radio or television station;

12 (B) participation in the game is open to the
13 general public and is not limited to customers of the business;

14 (C) playing materials are furnished without
15 charge to a person on request; and

16 (D) no player is required to furnish anything of
17 value for the opportunity to participate.

18 SECTION 2. (a) The change in law made by this Act applies
19 only to an offense committed on or after the effective date of this
20 Act. For purposes of this section, an offense is committed before
21 the effective date of this Act if any element of the offense occurs
22 before that date.

23 (b) An offense committed before the effective date of this
24 Act is covered by the law in effect when the offense was committed,
25 and the former law is continued in effect for that purpose.

26 SECTION 3. This Act takes effect September 1, 2009.