

1-1 By: Craddick (Senate Sponsor - Nelson) H.B. No. 457
1-2 (In the Senate - Received from the House March 31, 2011;
1-3 April 13, 2011, read first time and referred to Committee on State
1-4 Affairs; May 3, 2011, reported favorably by the following vote:
1-5 Yeas 8, Nays 0; May 3, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to restrictions on the promotion and operation of
1-9 charitable raffles.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Sections 2002.054(a) and (b), Occupations Code,
1-12 are amended to read as follows:

1-13 (a) The organization may not:

1-14 (1) directly or indirectly, by the use of paid
1-15 advertising, promote a raffle through a medium of mass
1-16 communication, including television, radio, or newspaper;

1-17 (2) promote or advertise a raffle statewide, other
1-18 than on the organization's Internet website or through a
1-19 publication or solicitation, including a newsletter, social media,
1-20 or electronic mail, provided only to previously identified
1-21 supporters of the organization; or

1-22 (3) sell or offer to sell tickets for a raffle
1-23 statewide.

1-24 (b) Except as provided by this subsection, the [The]
1-25 organization may not compensate a person directly or indirectly for
1-26 organizing or conducting a raffle or for selling or offering to sell
1-27 tickets to a raffle. A member of the organization who is employed
1-28 by the organization may organize and conduct a raffle, but the
1-29 member's work organizing or conducting a raffle may not be more than
1-30 a de minimis portion of the member's employment with the
1-31 organization.

1-32 SECTION 2. This Act takes effect immediately if it receives
1-33 a vote of two-thirds of all the members elected to each house, as
1-34 provided by Section 39, Article III, Texas Constitution. If this
1-35 Act does not receive the vote necessary for immediate effect, this
1-36 Act takes effect September 1, 2011.

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