

1 AN ACT

2 relating to the operation and regulation of charitable bingo.

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

4 SECTION 1. Section 2001.002(8-a), Occupations Code, is
5 amended to read as follows:

6 (8-a) "Crime of moral turpitude" means:

7 (A) a felony;

8 (B) a gambling offense;

9 (C) criminal fraud;

10 (D) forgery;

11 (E) theft;

12 (F) an offense that involves knowingly filing
13 false information with a governmental agency; or

14 (G) any ~~offense that~~

15 ~~[(i) is classified in this state as a]~~ Class
16 A misdemeanor defined by another state law as a crime of moral
17 turpitude ~~[, and~~

18 ~~[(ii) puts the honesty and integrity of the~~
19 ~~individual who committed the offense in question].~~

20 SECTION 2. Sections 2001.160(a), (b), (e), and (f),
21 Occupations Code, are amended to read as follows:

22 (a) On approval by the commission, a [A] licensed commercial
23 lessor may ~~[not]~~ transfer a commercial lessor license ~~[except as~~
24 ~~provided by this section.~~

1 ~~[(b) A transfer of a commercial lessor license under this~~
2 ~~section may be made only with the prior approval of the commission.~~
3 ~~The commission shall approve the transfer under this section]~~ if
4 the person to whom the license will be transferred otherwise meets
5 the requirements of this subchapter ~~[section]~~.

6 (e) Unless the commission revokes or suspends the license
7 under this chapter, or an injunction is issued under this section, a
8 licensed authorized organization that conducts bingo lawfully at
9 premises under a license to which Subsection (d) applies may
10 continue conducting bingo at the premises after the death or
11 incapacity of the commercial lessor license holder.

12 (f) On the showing by the commission of a cause that would be
13 sufficient for the commission to revoke or suspend ~~[obtain]~~ a
14 license under this chapter or an applicable commission rule
15 ~~[suspension under Section 2001.355]~~, a district court in the county
16 for which a commercial lessor license was issued or the commission
17 by order may temporarily or permanently enjoin the conduct of bingo
18 at premises under a license to which Subsection (d) applies.

19 SECTION 3. The change in law made by this Act to Section
20 2001.160, Occupations Code, applies to a license to operate bingo
21 gaming issued under Chapter 2001, Occupations Code, regardless of
22 whether the license was issued before, on, or after the effective
23 date of this Act.

24 SECTION 4. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

H.B. No. 2728

1 Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I certify that H.B. No. 2728 was passed by the House on May 12, 2011, by the following vote: Yeas 94, Nays 46, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2728 on May 27, 2011, by the following vote: Yeas 74, Nays 63, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2728 was passed by the Senate, with amendments, on May 25, 2011, by the following vote: Yeas 26, Nays 5.

Secretary of the Senate

APPROVED: _____

Date

Governor