

By: Thompson

H.B. No. 2728

Substitute the following for H.B. No. 2728:

By: Kuempel

C.S.H.B. No. 2728

A BILL TO BE ENTITLED

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, Occupations Code, is amended
5 by adding Subdivision (6-a) and amending Subdivision (8-a) to read
6 as follows:

7 (6-a) "Card-minding device player account value"
8 means the amount of money accounted for by a card-minding device
9 that is the sum of:

10 (A) money deposited to a player's account through
11 a point-of-sale transaction;

12 (B) credits to the player's account as a bingo
13 prize for winning a game of bingo; and

14 (C) deductions from the player's account for
15 authorized purchases made by the player or in exchanging the value
16 of the account for money at the request of the player.

17 (8-a) "Crime of moral turpitude" means:

18 (A) a felony;

19 (B) a gambling offense;

20 (C) criminal fraud;

21 (D) forgery;

22 (E) theft;

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

1 (G) any ~~[offense that~~
2 ~~[(i) is classified in this state as a]~~ Class
3 A misdemeanor defined by another state law as a crime of moral
4 turpitude ~~[, and~~
5 ~~[(ii) puts the honesty and integrity of the~~
6 ~~individual who committed the offense in question].~~

7 SECTION 2. Section 2001.103(e), Occupations Code, is
8 amended to read as follows:

9 (e) Notwithstanding Subsection (c), an authorized
10 organization that holds an annual license to conduct bingo may
11 receive not more than 36 ~~[24]~~ temporary licenses during the
12 12-month period following the issuance or renewal of the
13 license. The holder of a license that is effective for two years
14 may receive not more than 36 ~~[24]~~ temporary licenses for each
15 12-month period that ends on an anniversary of the date the license
16 was issued or renewed.

17 SECTION 3. Sections 2001.160(a), (b), (e), and (f),
18 Occupations Code, are amended to read as follows:

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

22 ~~[(b) A transfer of a commercial lessor license under this~~
23 ~~section may be made only with the prior approval of the commission.~~
24 ~~The commission shall approve the transfer under this section]~~ if
25 the person to whom the license will be transferred otherwise meets
26 the requirements of this subchapter ~~[section].~~

27 (e) Unless the commission revokes or suspends the license

1 under this chapter, or an injunction is issued under this section, a
2 licensed authorized organization that conducts bingo lawfully at
3 premises under a license to which Subsection (d) applies may
4 continue conducting bingo at the premises after the death or
5 incapacity of the commercial lessor license holder.

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

13 SECTION 4. Section 2001.409, Occupations Code, is amended
14 by adding Subsections (b), (c), and (d) to read as follows:

15 (b) A bingo player may use a card-minding device player
16 account value to purchase bingo cards.

17 (c) A licensed authorized organization that conducts bingo
18 may use a card-minding device to calculate and display a
19 card-minding device player account value.

20 (d) A licensed authorized organization may pay a bingo
21 player an amount equal to a card-minding device player account
22 value for that player only through a point-of-sale transaction.

23 SECTION 5. Section 2001.416(d), Occupations Code, is
24 amended to read as follows:

25 (d) This section does not prohibit the exhibition and play
26 of an amusement machine that:

27 (1) is not a gambling device as defined by Section

1 47.01, Penal Code; or

2 (2) awards credits or representations of value that:

3 (A) may be redeemed for bingo paper, bingo
4 pull-tabs, or card-minder use; and

5 (B) have a wholesale value not greater than the
6 lesser of 10 times the amount charged for a single play of the game
7 or device or \$5.

8 SECTION 6. Section 2001.420(b), Occupations Code, is
9 amended to read as follows:

10 (b) A [~~For bingo games other than pull-tab bingo, a~~] person
11 may not offer or award on a single bingo occasion prizes with an
12 aggregate value of more than \$2,500 for all bingo games other than:

13 (1) pull-tab bingo; or

14 (2) bingo games that award individual prizes of \$50 or
15 less.

16 SECTION 7. The change in law made by this Act to Section
17 2001.160, Occupations Code, applies to a license to operate bingo
18 gaming issued under Chapter 2001, Occupations Code, regardless of
19 whether the license was issued before, on, or after the effective
20 date of this Act.

21 SECTION 8. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2011.