

1-1 By: Thompson, Guillen H.B. No. 2728  
1-2 (Senate Sponsor - Van de Putte)  
1-3 (In the Senate - Received from the House May 13, 2011;  
1-4 May 13, 2011, read first time and referred to Committee on State  
1-5 Affairs; May 23, 2011, reported adversely, with favorable  
1-6 Committee Substitute by the following vote: Yeas 7, Nays 1;  
1-7 May 23, 2011, sent to printer.)

1-8 COMMITTEE SUBSTITUTE FOR H.B. No. 2728 By: Van de Putte

1-9 A BILL TO BE ENTITLED  
1-10 AN ACT

1-11 relating to the operation and regulation of charitable bingo.  
1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-13 SECTION 1. Section 2001.002(8-a), Occupations Code, is  
1-14 amended to read as follows:

1-15 (8-a) "Crime of moral turpitude" means:  
1-16 (A) a felony;  
1-17 (B) a gambling offense;  
1-18 (C) criminal fraud;  
1-19 (D) forgery;  
1-20 (E) theft;  
1-21 (F) an offense that involves knowingly filing  
1-22 false information with a governmental agency; or  
1-23 (G) any ~~[offense that~~  
1-24 ~~[(i) is classified in this state as a]~~ Class  
1-25 A misdemeanor defined by another state law as a crime of moral  
1-26 turpitude ~~[, and~~  
1-27 ~~[(ii) puts the honesty and integrity of the~~  
1-28 ~~individual who committed the offense in question].~~

1-29 SECTION 2. Sections 2001.160(a), (b), (e), and (f),  
1-30 Occupations Code, are amended to read as follows:

1-31 (a) On approval by the commission, a [A] licensed commercial  
1-32 lessor may [not] transfer a commercial lessor license [except as  
1-33 provided by this section.

1-34 ~~[(b) A transfer of a commercial lessor license under this~~  
1-35 ~~section may be made only with the prior approval of the commission.~~  
1-36 ~~The commission shall approve the transfer under this section]~~ if  
1-37 the person to whom the license will be transferred otherwise meets  
1-38 the requirements of this subchapter ~~[section].~~

1-39 (e) Unless the commission revokes or suspends the license  
1-40 under this chapter, or an injunction is issued under this section, a  
1-41 licensed authorized organization that conducts bingo lawfully at  
1-42 premises under a license to which Subsection (d) applies may  
1-43 continue conducting bingo at the premises after the death or  
1-44 incapacity of the commercial lessor license holder.

1-45 (f) On the showing by the commission of a cause that would be  
1-46 sufficient for the commission to revoke or suspend ~~[obtain]~~ a  
1-47 license under this chapter or an applicable commission rule  
1-48 [suspension under Section 2001.355], a district court in the county  
1-49 for which a commercial lessor license was issued or the commission  
1-50 by order may temporarily or permanently enjoin the conduct of bingo  
1-51 at premises under a license to which Subsection (d) applies.

1-52 SECTION 3. The change in law made by this Act to Section  
1-53 2001.160, Occupations Code, applies to a license to operate bingo  
1-54 gaming issued under Chapter 2001, Occupations Code, regardless of  
1-55 whether the license was issued before, on, or after the effective  
1-56 date of this Act.

1-57 SECTION 4. This Act takes effect immediately if it receives  
1-58 a vote of two-thirds of all the members elected to each house, as  
1-59 provided by Section 39, Article III, Texas Constitution. If this  
1-60 Act does not receive the vote necessary for immediate effect, this  
1-61 Act takes effect September 1, 2011.

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