

House Bill 2728
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 2001.002, Occupations Code, is amended by adding Subdivision (6-a) and amending Subdivision (8-a) to read as follows:

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

- (A) a felony;
- (B) a gambling offense;
- (C) criminal fraud;
- (D) forgery;
- (E) theft;
- (F) an offense that involves knowingly filing false information with a governmental agency; or
- (G) any ~~[offense that:~~
 - ~~[(i) is classified in this state as a]~~ Class A misdemeanor defined by another state law as a crime of moral turpitude [; and
 - ~~[(ii) puts the honesty and integrity of the individual who committed the offense in question].~~

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

- (A) money deposited to a player's account through a point-of-sale transaction;
- (B) credits to the player's account as a bingo prize for winning a game of bingo; and
- (C) deductions from the player's account for authorized purchases made by the player or in exchanging the value of the account for money at the request of the player.

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

- (e) Notwithstanding Subsection (c), an authorized

SENATE VERSION (CS)

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

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

- (A) a felony;
- (B) a gambling offense;
- (C) criminal fraud;
- (D) forgery;
- (E) theft;
- (F) an offense that involves knowingly filing false information with a governmental agency; or
- (G) any ~~[offense that:~~
 - ~~[(i) is classified in this state as a]~~ Class A misdemeanor defined by another state law as a crime of moral turpitude [; and
 - ~~[(ii) puts the honesty and integrity of the individual who committed the offense in question].~~

No equivalent provision.

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organization that holds an annual license to conduct bingo may receive not more than 36 [24] temporary licenses during the 12-month period following the issuance or renewal of the license. The holder of a license that is effective for two years may receive not more than 36 [24] temporary licenses for each 12-month period that ends on an anniversary of the date the license was issued or renewed.

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

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

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

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

(f) On the showing by the commission of a cause that would be sufficient for the commission to revoke or suspend ~~[obtain]~~ a license under this chapter or an applicable commission rule ~~[suspension under Section 2001.355]~~, a district court in the county for which a commercial lessor license was issued or

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the commission by order may temporarily or permanently enjoin the conduct of bingo at premises under a license to which Subsection (d) applies.

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

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

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

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

No equivalent provision.

SECTION 5. Section 2001.420(b), Occupations Code, is amended to read as follows:

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

(1) pull-tab bingo; or

(2) bingo games that award individual prizes of \$25 or less.

No equivalent provision.

SECTION 6. The change in law made by this Act to Section 2001.160, Occupations Code, applies to a license to operate bingo gaming issued under Chapter 2001, Occupations Code,

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regardless of whether the license was issued before, on, or after the effective date of this Act.

SECTION 7. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.

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SECTION 4. Same as House version.

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