

BILL ANALYSIS

H.B. 137
By: Raymond
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, locating owners of coin-operated machines or individuals who have a financial interest in the machines may be difficult after a coin-operated establishment has been temporarily shut down by law enforcement for gambling. H.B. 137 seeks to expand the information reported to the comptroller of public accounts by a coin-operated machine license holder and to increase penalties related to failure to report or provide that information and related to gambling promotion.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 137 amends the Occupations Code to include the name and address of the owner of each music or skill or pleasure coin-operated machine and of any person other than the owner who has a financial interest in the machine's proceeds among the information to be included in the record maintained by a coin-operated license holder and in the report that such license holder must submit to the comptroller of public accounts for each such coin-operated machine owned, possessed, or controlled by the license holder. The bill exempts a corporate license holder from this recordkeeping and reporting requirement with respect to maintaining a record of or reporting the name and address of a shareholder who holds less than 10 percent of the shares in a license holder's corporation. The bill increases from a Class B misdemeanor to a Class A misdemeanor the penalty for intentionally failing to report the required information relating to a coin-operated machine to the comptroller or failing to provide such information to the person responsible for making that report.

H.B. 137 amends the Penal Code to increase the penalty for gambling promotion from a Class A misdemeanor to a state jail felony. The bill reenacts and amends Section 71.02(a), Penal Code, as amended by Chapters 68 (S.B. 934) and 223 (H.B. 260), Acts of the 82nd Legislature, Regular Session, 2011, to make a technical correction.

EFFECTIVE DATE

September 1, 2013.