

Amend SB 759 as follows:

(1) On page 2 strike lines 3 through 6 and insert in lieu thereof:

"(2) a financial loss to this state [~~, which includes a license holder's failure to remit taxes under Section 2001.501 or prize fee payments under Section 2001.502 to the commission as required by those sections~~]."

(2) On page 3, strike line 4 and insert in lieu thereof the following:

SUBCHAPTER K. [~~TAXES AND~~] PRIZE TAX [~~FEES~~]

(2) On page 3, between lines 4 and 5, insert a new appropriately numbered SECTION to read as follows:

SECTION _____. Section 2001.502, Occupations Code, is amended to read as follows:

Sec. 2001.502. PRIZE TAX [~~FEES~~]. (a) A licensed authorized organization shall:

~~[(1)]~~ collect from a person who wins a cash bingo prize of more than \$5 a tax [~~fee~~] in the amount of five percent of the amount [~~or value~~] of the prize. Each quarter, the licensed authorized organization shall:

(1) if a county or municipality in which the bingo game is conducted voted to impose the prize tax before November 1, 2015:
~~[, and]~~

(A) [(2)] remit a tax [to the commission a fee] in the amount of 50 [five] percent of the amount collected as the prize tax under this subsection to:

(i) the county in which the bingo game is conducted, if the county voted to impose the tax by that date and the location at which bingo game is conducted is not within the limits of a municipality that voted to impose the tax before that date;

(ii) the municipality in which the bingo game is conducted, if the municipality voted to impose the tax by that date and the county in which the bingo game is conducted did not vote to impose the tax before that date; or

(iii) in equal shares, the county and the municipality in which the bingo game is conducted, if the county and

the municipality each voted to impose the tax before that date; and

(B) deposit the remainder of the taxes collected under this subsection in the general fund of the organization or, if the licensed authorized organization is member of a unit, deposit the taxes collected in each unit member's general fund in the proportion governed by the unit agreement; or

(2) if a county or municipality is not entitled to a percentage of the amount of taxes collected under this subsection, deposit the taxes collected in the general fund of the organization [~~or value of all bingo prizes awarded~~].

(b) A county or municipality is entitled to vote to impose the tax described by Subsection (a) if the county or municipality:

(1) imposed a gross receipts tax on the conduct of bingo as of January 1, 1993; and

(2) the governing body of the county or the municipality voted before November 1, 2015, to impose the tax.

(c) A governing body of a county or municipality that voted to impose the prize tax under Subsection (a) may at any time vote to discontinue the imposition of the tax.

(d) No later than October 1, 2015, the commission or its successor shall notify each county and municipality that was eligible to receive a share of the prize fee required by law prior to September 1, 2015, that the governing body of the county or municipality must vote before November 1, 2015, if the county or municipality will impose the tax after January 1, 2016. A governing body that votes before November 1, 2015, to impose the prize tax required by Subsection (a) shall notify each licensed authorized organization that conducts bingo within the county or municipality of the governing body's decision and the address and department or official to whom the tax shall be remitted.

(e) The tax required under Subsection (a) does not apply to a merchandise prize, including bingo cards, bingo pull-tabs, use of a card-minder, bingo daubers, and other bingo merchandise awarded as a prize for winning a bingo game.

(f)(1) A county and municipality that imposes the tax required by Subsection (a) has a cause of action for collection of the prize tax if all or part of the prize tax is unpaid within 30

days of the end of the calendar quarter in which the prize tax was collected.

(2) If the commission or its successor audits a licensed authorized organization, the commission shall report to a county or municipality any discrepancy between the amount of the prize tax remitted to the county or municipality under this section and the amount of prizes awarded during the conduct of bingo in a calendar quarter times the rate of the tax.

(4) Strike SECTIONS 1.07, 1.08, 1.09, 1.10, 1.11, 1.12, 1.13, 1.14, 1.15 and 1.16.

(5) On page 7, strike lines 21 and 22 and insert in lieu thereof the following:

SECTION 1.____. The following sections of Chapter 2001, Occupations Code, are repealed:

- (1) 2001.501
- (2) 2001.503
- (3) 2001.504
- (4) 2001.507
- (5) 2001.508
- (6) 2001.509
- (7) 2001.510
- (8) 2001.511
- (9) 2001.512
- (10) 2001.513
- (11) 2001.514; and
- (12) 2001.515