

BILL ANALYSIS

C.S.S.B. 866
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Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that some amusement redemption machine operators have set up their machines to provide cash prizes in violation of the law. These parties observe that in order to circumvent undercover investigations that generally have allowed law enforcement agencies to shut down such illegal operations, operators have changed their business models by restricting access to allow only members or known referrals. C.S.S.B. 866 seeks to address this issue in certain counties.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

C.S.S.B. 866 amends the Local Government Code to apply statutory provisions relating to a county's authority to regulate a game room to a county that is adjacent to the Gulf of Mexico and is adjacent to a county that has a population of four million or more. The bill clarifies that those same statutory provisions also apply to a county that has a population of four million or more and to a county that has a population of less than 25,000, is adjacent to the Gulf of Mexico, and is within 50 miles of an international border. The bill repeals duplicative statutory provisions relating to the authority of a county with a population of four million or more to regulate game rooms to conform to the bill's provisions.

C.S.S.B. 866 repeals Subchapter E, Chapter 234, Local Government Code, as added by Chapter 1377 (H.B. 1127), Acts of the 83rd Legislature, Regular Session, 2013.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 866 may differ from the engrossed in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

SENATE ENGROSSED

SECTION 1. Section 234.132, Local Government Code, as added by Chapter 1284 (H.B. 2123), Acts of the 83rd Legislature, Regular Session, 2013, is amended to read as follows:

Sec. 234.132. APPLICABILITY. This subchapter applies only to:

(1) a county that has ~~with~~ a population of less than 25,000, ~~that~~ is adjacent to the Gulf of Mexico, and is within 50 miles of an international border;

(2) a county that has a population of four million or more; and

(3) a county that has a population of more than 285,000, is adjacent to the Gulf of Mexico, and is adjacent to a county that has a population of four million or more.

SECTION 2. Subchapter E, Chapter 234, Local Government Code, as added by Chapter 1377 (H.B. 1127), Acts of the 83rd Legislature, Regular Session, 2013, is repealed.

SECTION 3. This Act takes effect September 1, 2015.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 234.132, Local Government Code, as added by Chapter 1284 (H.B. 2123), Acts of the 83rd Legislature, Regular Session, 2013, is amended to read as follows:

Sec. 234.132. APPLICABILITY. This subchapter applies only to:

(1) a county that has ~~with~~ a population of less than 25,000, ~~that~~ is adjacent to the Gulf of Mexico, and is within 50 miles of an international border;

(2) a county that has a population of four million or more; and

(3) a county that is adjacent to the Gulf of Mexico and to a county that has a population of four million or more.

SECTION 2. Same as engrossed version.

SECTION 3. Same as engrossed version.