

BILL ANALYSIS

C.S.H.B. 3125
By: Kuempel
Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note that recently enacted legislation omitted teams organized in Texas that are members of certain leagues and other persons hosting certain motorsports racing team events from the definition of "professional sports team" for purposes of the Professional Sports Team Charitable Foundation Raffle Enabling Act. C.S.H.B. 3125 seeks to establish that such an entity is considered a professional sports team for those purposes.

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.H.B. 3125 amends the Occupations Code to include among the teams considered a professional sports team for purposes of the Professional Sports Team Charitable Foundation Raffle Enabling Act a team organized in Texas that is a member of the American Hockey League, the East Coast Hockey League, the American Association of Independent Professional Baseball, the Atlantic League of Professional Baseball, Minor League Baseball, the National Basketball Association Development League, the National Women's Soccer League, the Major Arena Soccer League, the United Soccer League, or the Women's National Basketball Association. The bill considers as a professional sports team for those purposes a person hosting a motorsports racing team event sanctioned by National Association for Stock Car Auto Racing (NASCAR), INDYCar, or another nationally recognized motorsports racing association at a venue in Texas with a permanent seating capacity of not less than 75,000. The bill revises the conduct constituting an offense for a person who accepts any form of payment other than U.S. currency for the purchase of a raffle ticket for a charitable raffle conducted under the act by including a debit card as an accepted form of payment.

EFFECTIVE DATE

December 1, 2017, if the constitutional amendment to authorize additional professional sports team charitable foundations to conduct charitable raffles at additional venues is approved by the voters.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3125 may differ from the original in minor or nonsubstantive ways, the

following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 2004.002(2), Occupations Code, is amended to read as follows:

(2) "Professional sports team" means a team organized in this state that is a member of Major League Baseball, the National Basketball Association, the National Hockey League, the National Football League, [ø] Major League Soccer, the American Hockey League, the East Coast Hockey League, the American Association of Independent Professional Baseball, Minor League Baseball, the National Basketball Association Development League, the National Women's Soccer League, the Major Arena Soccer League, or the United Soccer League.

No equivalent provision.

SECTION 2. This Act takes effect September 1, 2017.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 2004.002, Occupations Code, is amended by adding Subdivision (1-a) and amending Subdivision (2) to read as follows:

(1-a) "Debit card" has the meaning assigned by Section 32.31, Penal Code.

(2) "Professional sports team" means:
(A) a team organized in this state that is a member of Major League Baseball, the National Basketball Association, the National Hockey League, the National Football League, [ø] Major League Soccer, the American Hockey League, the East Coast Hockey League, the American Association of Independent Professional Baseball, the Atlantic League of Professional Baseball, Minor League Baseball, the National Basketball Association Development League, the National Women's Soccer League, the Major Arena Soccer League, the United Soccer League, or the Women's National Basketball Association; or

(B) a person hosting a motorsports racing team event sanctioned by the National Association for Stock Car Auto Racing (NASCAR), INDYCar, or another nationally recognized motorsports racing association at a venue in this state with a permanent seating capacity of not less than 75,000.

SECTION 2. Section 2004.009(a), Occupations Code, is amended to read as follows:

(a) A person commits an offense if the person accepts any form of payment other than United States currency or a debit card for the purchase of a raffle ticket for a charitable raffle conducted under this chapter.

SECTION 3. This Act takes effect on December 1, 2017, but only if the constitutional amendment proposed by the 85th Legislature, Regular Session, 2017, to authorize additional professional sports team charitable foundations to conduct charitable raffles at additional venues is approved by the voters. If that amendment is not

approved by the voters, this Act has no effect.