

By: Bell

H.B. No. 446

Substitute the following for H.B. No. 446:

By: Goldman

C.S.H.B. No. 446

A BILL TO BE ENTITLED

AN ACT

1
2 relating to refunds of certain bingo licensing and registration
3 fees.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 2001.103, Occupations Code, is amended
6 by adding Subsection (a-1) to read as follows:

7 (a-1) On request, the commission shall refund to an
8 authorized organization the \$25 temporary license fee submitted
9 under Subsection (a) not later than the 30th day after the date the
10 commission receives the request for the refund, if:

11 (1) the authorized organization does not use the
12 temporary license to conduct bingo before the first anniversary of
13 the date of the license's issuance; or

14 (2) the authorized organization requests withdrawal
15 of the application before the temporary license is issued, except
16 the commission may retain an amount not to exceed 50 percent of the
17 license fee to defray any administrative cost incurred by the
18 commission in processing the application.

19 SECTION 2. Section 2001.104, Occupations Code, is amended
20 by adding Subsection (f) to read as follows:

21 (f) The commission shall refund the fee for an initial or
22 renewal license to conduct bingo if the applicant requests
23 withdrawal of the application before the license is issued or if the
24 commission denies the application, except the commission may retain

1 an amount not to exceed the lesser of 50 percent of the license fee
2 or \$150 to defray any administrative cost incurred by the
3 commission in processing the application. The commission shall
4 issue the refund not later than the 30th day after the date the
5 commission receives the withdrawal request or denies the
6 application.

7 SECTION 3. Section 2001.158, Occupations Code, is amended
8 by adding Subsection (e) to read as follows:

9 (e) The commission shall refund the fee for an initial or
10 renewal commercial lessor license if the applicant requests
11 withdrawal of the application before the license is issued or if the
12 commission denies the application, except the commission may retain
13 an amount not to exceed the lesser of 50 percent of the license fee
14 or \$150 to defray any administrative cost incurred by the
15 commission in processing the application. The commission shall
16 issue the refund not later than the 30th day after the date the
17 commission receives the withdrawal request or denies the
18 application.

19 SECTION 4. Section 2001.205, Occupations Code, is amended
20 by adding Subsection (c) to read as follows:

21 (c) The commission shall refund the fee for an initial or
22 renewal manufacturer's license if the applicant requests
23 withdrawal of the application before the license is issued or if the
24 commission denies the application, except the commission may retain
25 an amount not to exceed the lesser of 50 percent of the license fee
26 or \$150 to defray any administrative cost incurred by the
27 commission in processing the application. The commission shall

1 issue the refund not later than the 30th day after the date the
2 commission receives the withdrawal request or denies the
3 application.

4 SECTION 5. Section 2001.209, Occupations Code, is amended
5 by adding Subsection (c) to read as follows:

6 (c) The commission shall refund the fee for an initial or
7 renewal distributor's license if the applicant requests withdrawal
8 of the application before the license is issued or if the commission
9 denies the application, except the commission may retain an amount
10 not to exceed the lesser of 50 percent of the license fee or \$150 to
11 defray any administrative cost incurred by the commission in
12 processing the application. The commission shall issue the refund
13 not later than the 30th day after the date the commission receives
14 the withdrawal request or denies the application.

15 SECTION 6. Section 2001.306, Occupations Code, is amended
16 by adding Subsection (f) to read as follows:

17 (f) The commission shall refund the fee for amending a
18 license issued under this chapter if the applicant requests
19 withdrawal of the amendment application before the amended license
20 is issued or if the commission denies the amendment application,
21 except the commission may retain an amount not to exceed 50 percent
22 of the amendment fee to defray any administrative cost incurred by
23 the commission in processing the amendment application. The
24 commission shall issue the refund not later than the 30th day after
25 the date the commission receives the withdrawal request or denies
26 the application.

27 SECTION 7. Section 2001.313, Occupations Code, is amended

1 by adding Subsection (b-3) to read as follows:

2 (b-3) The commission shall refund the fee submitted under
3 Subsection (b-2) for an initial or renewal registration application
4 if the applicant requests withdrawal of the application before the
5 applicant is listed on the registry or if the commission denies the
6 registration and listing, except the commission may retain an
7 amount not to exceed 50 percent of the registration fee to defray
8 any administrative cost incurred by the commission in processing
9 the application. The commission shall issue the refund not later
10 than the 30th day after the date the commission receives the
11 withdrawal request or denies the application.

12 SECTION 8. Section 2001.437, Occupations Code, is amended
13 by adding Subsection (i) to read as follows:

14 (i) The commission shall refund the fee for an initial or
15 renewal unit manager license if the applicant requests withdrawal
16 of the application before the license is issued or if the commission
17 denies the application, except the commission may retain an amount
18 not to exceed the lesser of 50 percent of the license fee or \$150 to
19 defray any administrative cost incurred by the commission in
20 processing the application. The commission shall issue the refund
21 not later than the 30th day after the date the commission receives
22 the withdrawal request or denies the application.

23 SECTION 9. Chapter 2001, Occupations Code, as amended by
24 this Act, applies only to an application and fee submitted under
25 that chapter on or after the effective date of this Act. An
26 application and fee submitted before the effective date of this Act
27 is governed by the law in effect on the date the application and fee

1 are submitted, and the former law is continued in effect for that
2 purpose.

3 SECTION 10. This Act takes effect January 1, 2018.