

AN ACT

relating to the regulation of bingo games.

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

SECTION 1. Sections 2001.305(b) and (c), Occupations Code, are amended to read as follows:

(b) Immediately after issuing [~~receiving~~] a license, the commission [~~a license holder~~] shall send a copy of the license to the appropriate governing body. The governing body shall file the copy of the license in a central file containing licenses issued under this chapter.

(c) Not later than the 10th day after the date a license is issued, the commission [~~license holder~~] shall give written notice of the issuance of the license to:

(1) the police department of the municipality in which bingo will be conducted, if bingo is to be conducted in a municipality; or

(2) the sheriff of the county in which bingo will be conducted, if bingo is to be conducted outside a municipality.

SECTION 2. Section 2001.313(h), Occupations Code, is amended to read as follows:

(h) A licensed authorized organization may employ an individual who is not on the registry established by this section as an operator, manager, cashier, usher, caller, or salesperson on a provisional basis if the individual is awaiting the results of a

1 background check by the commission:

2 (1) for a period not to exceed 30 [~~14~~] days if the  
3 individual is a resident of this state; or

4 (2) for a period to be established by commission rule  
5 if the individual is not a resident of this state.

6 SECTION 3. Section 2001.419, Occupations Code, is amended  
7 by amending Subsections (d) and (e) and adding Subsection (f) to  
8 read as follows:

9 (d) If more than one bingo occasion is conducted at the same  
10 premises on the same day:

11 (1) the bingo occasions must be announced separately;

12 (2) the licensed times may not overlap; and

13 (3) notwithstanding Subsection (e), bingo cards may be  
14 sold during a bingo occasion for play during a subsequent bingo  
15 occasion that is scheduled to begin at the same premises in not more  
16 than eight hours after the sale of cards for the subsequent occasion  
17 begins.

18 (e) Bingo cards, pull-tab bingo tickets, and the use of  
19 card-minding devices [~~paper~~] for a bingo occasion may be sold at the  
20 licensed premises at any time beginning one hour before the bingo  
21 occasion and ending at the conclusion of the bingo occasion  
22 [~~begins~~].

23 (f) If pull-tab bingo tickets are sold by one licensed  
24 authorized organization that conducts consecutive bingo occasions  
25 during one day, the organization may account for and report all of  
26 the pull-tab bingo ticket sales for the occasions as sales for the  
27 final occasion.

1 SECTION 4. Section 2001.451(b), Occupations Code, is  
2 amended to read as follows:

3 (b) Except as provided by Section 2001.502(a), a [A]  
4 licensed authorized organization shall deposit in the bingo account  
5 all funds derived from the conduct of bingo, less the amount awarded  
6 as cash prizes under Sections 2001.420(a) and (b). Except as  
7 provided by Subsection (b-1), a deposit must be made not later than  
8 the third [~~second~~] business day after the day of the bingo occasion  
9 on which the receipts were obtained.

10 SECTION 5. Section 2001.502, Occupations Code, is amended  
11 to read as follows:

12 Sec. 2001.502. PRIZE FEE. (a) A licensed authorized  
13 organization or unit as defined by Section 2001.431 shall:

14 (1) collect from a person who wins a cash bingo prize  
15 of more than \$5 a fee in the amount of five percent of the amount [~~or~~  
16 ~~value~~] of the prize; and

17 (2) except as otherwise provided by this section,  
18 remit to the commission the amount of the [a] fee collected under  
19 Subdivision (1) [in the amount of five percent of the amount or  
20 value of all bingo prizes of more than \$5 awarded].

21 (b) Notwithstanding Subsection (a)(2), each quarter, a  
22 licensed authorized organization or unit that collects a prize fee  
23 under Subsection (a) for a bingo game conducted in a county or  
24 municipality that was entitled to receive a portion of a bingo prize  
25 fee as of January 1, 2019, shall remit 50 percent of the amount  
26 collected as the prize fee to the commission and:

27 (1) if the county or municipality in which the bingo

1 game is conducted voted before November 1, 2019, to impose the prize  
2 fee, remit 50 percent of the amount collected as the prize fee to:

3 (A) the county that voted to impose the fee by  
4 that date, provided the location at which the bingo game is  
5 conducted is not within the boundaries of a municipality that voted  
6 to impose the prize fee by that date;

7 (B) the municipality that voted to impose the fee  
8 by that date, provided the county in which the bingo game is  
9 conducted did not vote to impose the fee by that date; or

10 (C) in equal shares, the county and the  
11 municipality, provided each voted to impose the fee before that  
12 date; or

13 (2) if neither the county or municipality in which the  
14 bingo game is conducted voted before November 1, 2019, to impose the  
15 prize fee, deposit the remainder of the amount collected as the  
16 prize fee in the general charitable fund of the organization or on a  
17 pro rata basis to the general funds of the organizations comprising  
18 the unit, as applicable, to be used for the charitable purposes of  
19 the organization or organizations.

20 (c) The governing body of a county or municipality that  
21 voted to impose a prize fee under Subsection (b)(1) may at any time  
22 vote to discontinue the imposition of the fee. If a county or  
23 municipality votes on or after November 1, 2019, to discontinue the  
24 fee, the fees to which the county or municipality, as applicable,  
25 was entitled before the vote shall be collected by the licensed  
26 authorized organization or unit as defined by Section [2001.431](#) and  
27 deposited as provided by Subsection (b)(2).

1        (d) A fee collected under Subsection (a) does not apply to:

2                (1) a merchandise prize awarded as a prize for winning  
3 a bingo game, including a bingo card, a pull-tab bingo ticket, a  
4 bingo dauber, or other bingo merchandise; or

5                (2) the use of a card-minding device awarded as a prize  
6 for winning a bingo game.

7        SECTION 6. Section 2001.504(a), Occupations Code, is  
8 amended to read as follows:

9        (a) A fee on prizes authorized or imposed under this  
10 subchapter is due and is payable by the license holder or a person  
11 conducting bingo without a license to the commission and county or  
12 municipality, as applicable, quarterly on or before the 25th day of  
13 the month succeeding each calendar quarter.

14        SECTION 7. The heading to Section 2001.507, Occupations  
15 Code, is amended to read as follows:

16        Sec. 2001.507. COLLECTION AND DEPOSIT [~~DISBURSEMENT~~] OF  
17 PRIZE FEE.

18        SECTION 8. Section 2001.507, Occupations Code, is amended  
19 by amending Subsection (a) and adding Subsection (a-1) to read as  
20 follows:

21        (a) The commission shall deposit the revenue collected from  
22 the fee on prizes imposed by Section 2001.502 to the credit of [~~a~~  
23 ~~special account in~~] the general revenue fund.

24        (a-1) The revenue collected by the commission from the fee  
25 on prizes imposed by Section 2001.502 is considered miscellaneous  
26 revenue for purposes of appropriations made to the commission under  
27 the General Appropriations Act for the administration of this

1 chapter.

2 SECTION 9. Section 404.073(c), Government Code, is amended  
3 to read as follows:

4 (c) Interest that has been and that will be accrued or  
5 earned from deposits made under a law to which this subsection  
6 applies is state funds not subject to allocation or distribution to  
7 taxing units, cities, or transportation authorities under that law.  
8 This subsection applies to:

- 9 (1) Section 205.02, Alcoholic Beverage Code;
- 10 (2) [~~Section 2001.507, Occupations Code,~~
- 11 [~~3~~] Section 403.105(d) of this code;
- 12 (3) [~~4~~] Sections 321.501 and 321.504, Tax Code;
- 13 (4) [~~5~~] Sections 322.301 and 322.304, Tax Code; and
- 14 (5) [~~6~~] Sections 323.501 and 323.504, Tax Code.

15 SECTION 10. The following provisions of the Occupations  
16 Code are repealed:

- 17 (1) Section 2001.103(a-1);
- 18 (2) Section 2001.104;
- 19 (3) Section 2001.313(b-3);
- 20 (4) Section 2001.437(i);
- 21 (5) Section 2001.503; and
- 22 (6) Sections 2001.507(b), (c), (d), (e), (f), (g),  
23 (h), and (i).

24 SECTION 11. (a) A county or municipality may receive a  
25 portion of the prize fee collected under Section 2001.502,  
26 Occupations Code, as amended by this Act, after the effective date  
27 of this Act only if:

1 (1) the county or municipality was entitled to receive  
2 a portion of a bingo prize fee as of January 1, 2019; and

3 (2) the governing body of the county or municipality:

4 (A) by majority vote of the members of the  
5 governing body approves the continued receipt of funds under that  
6 section and notifies the Texas Lottery Commission of that decision  
7 not later than November 1, 2019; and

8 (B) notifies each licensed authorized  
9 organization within the county's or municipality's jurisdiction, as  
10 applicable, of the continued imposition of the fee.

11 (b) Not later than October 1, 2019, the Texas Lottery  
12 Commission shall notify the governing body of a county or  
13 municipality that was entitled to receive a portion of the prize fee  
14 collected under Section 2001.502, Occupations Code, as that section  
15 existed immediately before the effective date of this Act, of the  
16 requirements for continued receipt of the prize fee under that  
17 section as provided in Subsection (a) of this section.

18 SECTION 12. Section 2001.305, Occupations Code, as amended  
19 by this Act, applies only to an authorized organization license or a  
20 commercial lessor license that is issued under Chapter 2001,  
21 Occupations Code, on or after the effective date of this Act. An  
22 authorized organization license or a commercial lessor license  
23 issued before the effective date of this Act is governed by the law  
24 as it existed immediately before the effective date of this Act, and  
25 that law is continued in effect for that purpose.

26 SECTION 13. (a) Except as otherwise provided by Subsection  
27 (b) of this section, this Act takes effect January 1, 2020.

- 1           (b) The following provisions take effect September 1, 2019:
- 2                 (1) Section [2001.502\(c\)](#), Occupations Code, as added by
- 3 this Act;
- 4                 (2) Section [2001.507\(a\)](#), Occupations Code, as amended
- 5 by this Act; and
- 6                 (3) Section [2001.507\(a-1\)](#), Occupations Code, as added
- 7 by this Act.



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President of the Senate

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Speaker of the House

I certify that H.B. No. 914 was passed by the House on April 30, 2019, by the following vote: Yeas 137, Nays 8, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 914 on May 24, 2019, by the following vote: Yeas 102, Nays 37, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 914 was passed by the Senate, with amendments, on May 22, 2019, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor