

By: Geren

H.B. No. 3012

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to charitable raffles conducted by the professional sports  
3 teams charitable foundations of organizations sanctioned by  
4 certain professional associations at rodeo venues.

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

6 SECTION 1. Section 2004.002, Occupations Code, is amended  
7 by amending Subdivision (2) and adding Subdivisions (5) and (6) to  
8 read as follows:

9 (2) "Professional sports team" means:

10 (A) a team organized in this state that is a  
11 member of Major League Baseball, the National Basketball  
12 Association, the National Hockey League, the National Football  
13 League, Major League Soccer, the American Hockey League, the East  
14 Coast Hockey League, the American Association of Independent  
15 Professional Baseball, the Atlantic League of Professional  
16 Baseball, Minor League Baseball, the National Basketball  
17 Association Development League, the National Women's Soccer  
18 League, the Major Arena Soccer League, the United Soccer League, or  
19 the Women's National Basketball Association;

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

1 (C) an organization hosting a Professional Golf  
2 Association event; or

3 (D) an organization sanctioned by the  
4 Professional Rodeo Cowboys Association or the Women's Professional  
5 Rodeo Association.

6 (5) "Rodeo event" means a rodeo conducted at a rodeo  
7 venue.

8 (6) "Rodeo venue" means a facility owned or operated  
9 by and operated as the home venue of an organization sanctioned by  
10 the Professional Rodeo Cowboys Association or the Women's  
11 Professional Rodeo Association at which rodeos are conducted by  
12 that organization.

13 SECTION 2. Section 2004.003, Occupations Code, is amended  
14 to read as follows:

15 Sec. 2004.003. QUALIFICATIONS TO CONDUCT RAFFLE. A  
16 professional sports team charitable foundation is qualified to  
17 conduct charitable raffles under this chapter if the foundation:

18 (1) is associated with a professional sports team with  
19 a home venue or rodeo venue located in this state;

20 (2) does not distribute any of its income to its  
21 members, officers, or governing body, other than as reasonable  
22 compensation for services;

23 (3) has existed for at least the three years preceding  
24 the conduct of a raffle under this chapter;

25 (4) does not devote a substantial part of its  
26 activities to attempting to influence legislation and does not  
27 participate or intervene in any political campaign on behalf of any

1 candidate for public office in any manner, including by publishing  
2 or distributing statements or making campaign contributions;

3 (5) qualifies for and has obtained an exemption from  
4 federal income tax from the Internal Revenue Service as a  
5 charitable organization described in Section 501(c)(3), Internal  
6 Revenue Code of 1986; and

7 (6) does not have or recognize any local chapter,  
8 affiliate, unit, or subsidiary organization in this state.

9 SECTION 3. Section 2004.004(a), Occupations Code, is  
10 amended to read as follows:

11 (a) A professional sports team charitable foundation that  
12 meets the qualifications under Section 2004.003 may conduct a  
13 charitable raffle during each preseason, regular season, and  
14 postseason game hosted at the home venue or each rodeo event at the  
15 rodeo venue of the professional sports team associated with the  
16 foundation to provide revenue for the foundation's charitable  
17 purposes.

18 SECTION 4. This Act takes effect on December 1, 2021, but  
19 only if the constitutional amendment proposed by the 87th  
20 Legislature, Regular Session, 2021, authorizing the professional  
21 sports team charitable foundations of organizations sanctioned by  
22 the Professional Rodeo Cowboys Association or the Women's  
23 Professional Rodeo Association to conduct charitable raffles at  
24 rodeo venues is approved by the voters. If that amendment is not  
25 approved by the voters, this Act has no effect.