

BILL ANALYSIS

Senate Research Center
88R14157 PRL-D

H.B. 4446
By: Landgraf; Tepper (Springer)
Local Government
5/15/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 4446 amends current law relating to certain licensing and permitting requirements for game rooms, authorizes an occupational permit or license, and authorizes a fee.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 234.134, Local Government Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Requires that an application for a license or permit to own or operate a game room be made in accordance with Section 234.1341 and with regulations adopted by the county.

(a-1) Authorizes a county to require that a person employed by a game room, other than an owner or operator, obtain a license or permit or renew a license or permit on a periodic basis to be employed by a game room in the county. Requires that an application for a license or permit be made in accordance with Section 234.1342 and with regulations adopted by the county.

SECTION 2. Amends Subchapter E, Chapter 234, Local Government Code, by adding Sections 234.1341 and 234.1342, as follows:

Sec. 234.1341. APPLICATION FOR OWNER OR OPERATOR LICENSE OR PERMIT. (a) Requires a county requiring a person to obtain a license or permit to own or operate a game room in the county to require the person to submit a completed application as provided by this section for issuance or renewal of the license or permit and an application fee of \$1,000 as required by the county.

(b) Requires that an application form developed by the county under this section require the applicant to provide the following information:

(1) the name of the business, including a copy of the assumed name certificate;

(2) the legal name, social security number, date of birth, and other relevant information concerning each person who owns at least five percent of the business or serves in a management role for the business;

(3) the name and contact information of the owner of the property where the game room is located;

(4) information concerning any other game room previously or currently operated by the applicant;

(5) the applicant's fingerprints;

(6) a copy of the applicant's valid state-issued driver's license or personal identification card and social security card; and

(7) the applicant's consent for a criminal history record information check of the applicant.

Sec. 234.1342. APPLICATION FOR EMPLOYEE LICENSE OR PERMIT. (a) Requires a county requiring a person to obtain a license or permit to be employed by a game room in the county to require the person to submit a completed application as provided by this section for issuance or renewal of the license or permit and an application fee of \$50 as required by the county.

(b) Requires that an application form developed by the county under this section require the applicant to provide the following information:

(1) the person's legal name, social security number, date of birth, and other relevant information;

(2) the person's criminal history;

(3) the applicant's fingerprints;

(4) a copy of the applicant's valid state-issued driver's license or personal identification card and social security card;

(5) a recent photograph of the applicant's face and a recent photograph of the applicant's full body; and

(6) the applicant's consent for a criminal history record information check of the applicant.

(c) Prohibits a county from issuing or renewing a license or permit for an applicant who has been previously convicted of a Class B misdemeanor or higher criminal offense.

(d) Requires a county to send a copy of fingerprints obtained under this section to the Department of Public Safety of the State of Texas (DPS) to allow DPS to create a permanent record of the fingerprints in the criminal justice information system.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2023.